Title Planning Applications

To: Planning Control Committee

On: 25 July 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:** Radcliffe - East 60992 App No. Higher Spen Moor, Bury and Bolton Road, Radcliffe, Manchester, M26 Location: Proposal: Upgrading of existing access track road leading to and along Higher Spen Moor including minor landscaping works and improvements to the access mouth **Recommendation:** Approve with Conditions Site Visit: 02 Township Forum - Ward: Radcliffe - North App No. 61085 Location: Land between 8 & 9 Radelan Grove, Radcliffe, Manchester, M26 3NG Proposal: Erection of detached bungalow **Recommendation:** Approve with Conditions Site Ν Visit: 03 **Township Forum - Ward:** Radcliffe - North App No. 61086 Location: Land between 4 & 5 Radelan Grove, Radcliffe, Manchester, M26 3NG Proposal: Erection of detached bungalow **Recommendation:** Approve with Conditions Site Ν Visit: 04 Township Forum - Ward: North Manor App No. 61117 Location: Bleaklow Mill, Bolton Road, Tottington, Bury, BL8 4LL Demolition of the existing vacant industrial building and the erection of 24 Proposal: dwellings (20 three bed and 4 four bed) with public open space, parking and associated access Recommendation: Minded to Approve Site Visit: 05 **Township Forum - Ward:** Whitefield + Unsworth - Unsworth 61135 App No. Location: Car park to the north of 129 Croft Lane, Bury, BL9 8QH Outline application for the construction of 7 no. dwellings Proposal: Recommendation: Minded to Approve Site Ν Visit: 06 61363 **Township Forum - Ward:** Ramsbottom and Tottington -App No. Ramsbottom 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 Ν Visit:

Township Forum - Ward: Ramsbottom and Tottington - App No. 61364

Ramsbottom

Location: Ramsbottom Service Station, Stubbins Lane, Ramsbottom, Bury, BL0 0PU

Proposal: Redevelopment of existing petrol station including demolition of shop, car wash and industrial building and erection of a retail unit (Class A1) and drive thru coffee shop (Class A1), new car parking, site access and

associated works

Recommendation: Site N

Visit:

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O8 Township Forum - Ward: Ramsbottom and Tottington - App No. 61502

Ramsbottom

Location: Flat above 45 Bridge Street, Ramsbottom, Bury, BL0 9AD

Proposal: Change of use from dwelling (Class C3) (flat above ground floor cafe) to a

sewing and crafts teaching centre (Class D1): Change upvc window frame

at front to traditional white sash style

Recommendation: Approve with Conditions Site N

Visit:

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O9 Township Forum - Ward: North Manor App No. 61530

Location: 13 Brandlesholme Road, Tottington, Bury, BL8 4DR

Proposal: Change of use from shop (Class A1) to cafe (Class A3); New shop front

and formation of outside seating area at front

Recommendation: Approve with Conditions Site N

Visit:

10 Township Forum - Ward: Ramsbottom and Tottington - **App No.** 61563

Ramsbottom

Location: Birchen Bower Farm, Harwood Road, Tottington, Bury, BL8 3PT

Proposal: Replacement garage/workshop/stable/tackroom and alterations to

windows and doors; Two storey extension at front and change use of the

attached barn to residential accommodation

Recommendation: Approve with Conditions Site N

Visit:

11 Township Forum - Ward: Bury East - Redvales App No. 61572

Location: Site of former Fishpool County Infant School, Parkhills Road, Bury, BL9

9AP

Proposal: Change of house type for plots 3,4,5,6,7,8 from previously approved

planning application 58866

Recommendation: Approve with Conditions Site N

Visit:

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12 Township Forum - Ward: Prestwich - St Mary's **App No.** 61584

Location: Glenshiel, 232 Hilton Lane, Prestwich, Manchester, M25 9FX **Proposal:** Demolition of existing bungalow and erection of 3 no. dwellings **Recommendation:** Approve with Conditions **Site** N

Visit:

13 Township Forum - Ward: Radcliffe - North App No. 61613

Land adjacent to 5 Stanley Road, Radcliffe, Manchester, M26 4HG

Proposal: Erection of 1 no. dwelling

Recommendation: Approve with Conditions Site N

Visit:

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Ward: Radcliffe - East Item 01

Applicant: Peel Investments (North) Limited

Location: Higher Spen Moor, Bury and Bolton Road, Radcliffe, Manchester, M26 4LB

Proposal: Upgrading of existing access track road leading to and along Higher Spen Moor

including minor landscaping works and improvements to the access mouth

Application Ref: 60992/Full **Target Date:** 01/03/2017

Recommendation: Approve with Conditions

The Development Control Manager has recommended a site visit prior to determination by the Planning Control Committee.

Description

The proposal involves an existing single track road and Public Right of Way (PRoW) running south-east from Bury & Bolton Road past Higher Spen Moor Farm and a future cycle track running north-east, towards Lower Spen Moor, for a distance of approximately 460m. The existing access road is approximately 460m long, 3m wide and surfaced in bitmac which, for large sections, is broken up. Mature hedging runs down either side of the existing track.

The site is within the Green Belt and there is a swathe of open land running along the line of the former Bury to Bolton railway line that is designated Wildlife Corridor. This roughly aligns with the line of a proposed cycleway that would be constructed as part of the housing scheme currently under way on the adjacent site, known as Tudor Grange. Sections of the existing access track also run through Spen Moor Site of Biological Importance (SBI).

The road would be reconstructed with a new crushed stone and tarmacadam base with a asphalt finish. The main carriageway would be maintained at a width of 3m and in addition there would also be two passing places formed on its south side. One passing place would be to the west of Higher Spen Moor and the other to the east.

The existing junction on to Bury and Bolton Road would be realigned to create a 90 degree angle rather than the existing 'acute' alignment. The realignment of the junction would entail cutting into the corner of the field on the east side, removing part of the hedge and replanting with a new hedge behind the visibility splays.

At its southernmost point, the resurfaced track would link into the proposed cycle track that would be constructed as part of the Section 106 legal agreement associated with the previously approved residential development at 'Tudor Grange' (LPA Ref 58810). It is proposed that this 3m wide cycle track, with 1m grass verges on either side, would be constructed to accommodate vehicular traffic from the two properties at Lower Spen Moor. Vehicular access to these properties is currently via a private road running north-west past Middle Spen Moor and this is also a designated public footpath.

As part of proposal, hedges would be replanted along the road where they are lost as a result of the formation of the passing places and new hedges planted where there are existing gaps along the boundaries of the road. In some places, where pedestrian links are required into the new estate, new fencing, gates and bollards would erected to prevent vehicular access.

It is noted that Lower Spen Moor Farm, is currently subject to enforcement procedures relating to used car sales. The resident, subject to the enforcement action argues that the car sales use is established by reason of the period of time it has been in operation. A

Lawful Development Certificate (LDC) is expected in relation to this and enforcement is ongoing.

The proposal has arisen because condition 18 of the previous reserved matters application 55003 requires the north-west access road to closed to vehicular traffic which properties at Lower Spen Moor currently use and their alternative right of access is required to be no less favourable than currently exists.

Relevant Planning History

Planning

36052 - Outline - Residential Development - Refused 13/10/2003.

55003 - Outline - Residential Development of 191 Dwellings - Approved 27/11/2012.

58810 - Reserved Matters (Appearance, Landscaping, Layout and Scale) - Approved 12/11/2015.

60689 - Improvement and Extension of Bridleway 115 to link to Access Track to Lower Spen Moor - Approved 18/01/17

Enforcement

17/0031 Unauthorised used car sales - ongoing

Publicity

Site notice posted 11/01/17 and press notice posted in Bury Times 12/01/17. The following residents were notified by an initial letter dated 06/01/17. Higher Spen Farm Cottage, Higher Spen Moor Farm Nos.97 - 113(odd) Bury and Bolton Road,

Those residents that were notified initially and all subsequent objectors were notified of revised plans by letter dated 19/04/17.

114 objections received from residents in the following 90 properties: 77, 97, 101, 103, 105, 107, 109, 111, 113, 115, 141 Bury & Bolton Road, 489, 491 and 519 Bolton Road, 475 Bolton Road West, 59 Normandy Crescent, 1 Osborne Close, 3 Arrows Residents Association (64 Starling Road), 48, 50, 131 Starling Road, 37 Whitecroft Drive, 20 Grindsbrook Road, 4 Brammay Drive, 3 Dow Lane, 10 Horsham Close, 23 Collins Street, 52 Hazel Lane, 3 Heather Bank, 7 Henley Close, 6 Ettington Close, 37 and 46 Kensington Drive, 17 Ripon Close, 68 Neston Road, 34 Great Hall Close, 2 and 3 Buller Mews, 21, 23 and 25 Sherwood Avenue, 44 Warth Road, 40 Warth Fold Road,4, 10 and 19 Sunningdale Close, 7 Ainsdale Avenue, 3 and 6 Henley Close, 23 Halter Close, 17 Greenhill Road, 44 Meadow Way, 7 Bispham Close, 4 Heapy Close, 209 and 465 Walshaw Road, 10 Slaidburn Drive, 33 Thornfield Road, 25 Abbey Drive, 15 and 51 Watling Street, Higher Green Farm, 7 Chatsworth Road, 71 Woodhill Road, 360 Parr Lane, 63 Simister Lane, 56 Greenbank Road, 24 Buckingham Drive, 27 Croft Drive, 41-43 Harwood Road, 24 Far Hey Close, 9 Valley Avenue, 68 Sandbed Lane, 31 Williamson Avenue, 51 Cockey Moor Road, 25 Woodhill Drive, 38 Holcombe Avenue, 26 Paramel Avenue, 1 Adlington Close, 461 Walshaw Road, 22 Kenmore Avenue, 37 Whitecroft Drive, 11 Wrigglesworth Close, 8 Warton Close, 33 Lowercroft Road, 48 and 82 Higher Ainsworth Road, 41 Garstang Drive, 39 Naseby Walk, Nabb farm

Campaign for the Preservation of Rural England (CPRE) have also objected and The Rochdale and Bury Bridleway Association have also made representations. Objections via 9 emails were also received without specific addresses.

Objections to the proposal are summarised below:

- The proposal is contrary to Green Belt Policy.
- The proposal would improve access into surrounding open land and is a precursor to further inappropriate development in the Green Belt beyond. The proposal is part of an 'underhand method' of assisting the Greater Manchester Structural Framework in allowing planning permission in the Green Belt.
- There is no need to upgrade the road.

- The resurfacing and widening of the road would destroy ancient hedgerows and valuable wildlife habitat along either side of the track and in adjacent wildlife sites.
- The development at Tudor Grange has progressed without care for wildlife and environmental concerns (eg.Japanese Knotweed)
- The site runs through a Site of Biological Importance (Grade B Spen Moor Ponds) and would have an adverse effect on it.
- Resurfacing the existing road would increase vehicle speeds to the detriment of the safety of walkers using the Public Right of Way.
- Increased conflict between vehicles and pedestrians.
- The road would be used as a shortcut to the new residential development on the adjacent 'Tudor Grange' site.
- One of the properties at Lower Spen Moor is operating as a used car dealership without planning permission and this would seriously affect public safety.
- Why do the properties at Lower Spen Moor need another access?
- In the previous application at Tudor Grange, we were told that the issues around access for Lower Spen Moor were addressed.
- The farm at Higher Spen Moor is not occupied and therefore there is no need for access by large machinery.
- Bury and Bolton Road is very busy and cannot take any more traffic.
- The Rochdale and Bury Bridleway Association wish to see the new route as a bridleway.

Two representations in support of the proposal have been received from the residents at the two properties at Lower Spen Moor.

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

Consultations

Traffic Section - No objection subject to conditions.

Public Rights of Way Officer - No objection subject to conditions.

Greater Manchester Ecology Unit - No objection subject to conditions relating to ecological mitigation measures.

Unitary Development Plan and Policies

OL1	Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
EN1/1	Visual Amenity
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/4	Wildlife Links and Corridors
EN6/3	Features of Ecological Value
HT4	New Development
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
RT3/1	Protection of Existing Recreation Prov in the Countryside
RT3/3	Access to the Countryside
RT3/4	Recreational Routes
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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.

National Planning Policy Framework - Paragraph 90 states; Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict

with the purposes of including land in Green Belt. These are:

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

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

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

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

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

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

EN1/1 Visual Amenity. Development will not be permitted where proposals would have a detrimental effect on:

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

EN6/2 Sites of Nature Conservation Interest (Local Nature Reserves and Grade B and C Sites of Biological Importance). Planning permission will not be granted for development which would damage either directly or indirectly, the nature conversation interests of sites of particular ecological significance (Local Nature Reserves or Grade B and C Sites of Biological Importance) unless conditions can be imposed that would acceptably mitigate those impacts.

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

EN6/4 Wildlife Links and Corridors. The Council will seek to consolidate and, where appropriate, strengthen wildlife links and corridors, and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their

effectiveness through the design, landscaping and siting of development proposals and mitigation works, where appropriate.

HT6/1 Pedestrian and Cyclist Movement. The Council will seek to ensure that pedestrians and cyclists are able to move safely and conveniently. This can be achieved by:

- a) eliminating points of conflict between pedestrians/cyclists and motor vehicles;
- b) providing direct and convenient routes;
- c) ensuring that routes are well lit and clearly signed;
- d) extending pedestrian areas, especially in Bury town centre and other district or local centres, where appropriate;
- e) ensuring that all proposals for development recognise the needs of pedestrians and cyclists:
- f) making exemptions for cyclists in Traffic Regulation Orders and pedestrianisation schemes, where appropriate;
- g) providing secure cycle parking and identifying cycle routes, including recommended routes and cycle lanes through busy urban areas, where appropriate.

HT6/2 Pedestrian/Vehicular Conflict. The Council will take action, as appropriate, to reduce pedestrian/vehicular conflict through measures which include:

- a) pavement widening/realignment;
- b) pedestrianisation schemes;
- c) improved pedestrian crossing facilities;
- d) proposals designed to reduce traffic speed;
- e) provision of clearly signed pedestrian routes.

Background - This application comes about following the approval and subsequent commencement of the residential development known as 'Tudor Grange' (Reserved Matters application 58810) on land to the east of the access road/footpath. The scheme, approved in November 2015, allowed for access to properties at Middle and Lower Spen Moor, if required, to be taken through the new estate residential as opposed to the existing private road running onto Bury and Bolton Road, across from the junction with Mile End Lane. The alternative arrangements to the exiting access were seen as desirable so the existing road could be closed off to vehicular traffic to avoid the creation of a 'rat run' from Bury and Bolton Road into the new residential estate. Pedestrian access down this road would be maintained. The approved plan for the reserved matters scheme is attached at the end of this report.

Whilst the residents at Middle Spen Moor are content to use the new estate roads as access on to Bury and Bolton Road, the residents at Lower Spen Moor Farm do not want their access to be through the new estate, preferring a road that with less traffic. In any event a legal agreement requires that they have an access 'no less favourable' than they currently enjoy. Following negotiations between the applicant, Peel Investments and the residents at Lower Spen Moor Farm, Peel agreed, subject to planing approval, to form a new vehicular access from Lower Spen Moor to Bury and Bolton Road, via the cycleway and the resurfaced track.

Whilst it is not essential in planning terms to have this new access route, the fact that it is not essential is not a valid reason in itself to refuse the application. The application should be considered in the light of material planning policies, material considerations, guidance and on its individual merits.

Cycleway - An integral part of the approved plan for the Tudor Grange residential development is the formation of a 230m length of cycleway, running SW to NE and linking the access track serving Higher Spen Moor and the track serving properties at Middle and Lower Spen Moor, both of which are also Public Rights of Way (PRoW 12sa and 15sa).

The construction of the cycleway would be achieved through a Section 106 legal agreement attached to the Tudor Grange approval. A Deed of Variation (DoV) for the existing S106 agreement would be required to enable the cycleway to accommodate vehicular traffic thus

effectively becoming a mixed use track rather than solely a cycle track.

Principle of Development - The proposal can be seperate into two discernible parts:

- The physical alterations to the existing access track itself, including changes to the alignment at the junction with Bury & Bolton Road, resurfacing, the creation of passing places and alterations to the yet to be built cycleway.
- The use of the cycleway and existing access track as an alternative vehicular route from Lower Spen Moor, on to Bury & Bolton Road.

There are no objections to this from the Highways Team and the slight re-alignment would provide a safer approach to Bury & Bolton Road. The principle of changes to the junction and resurfacing the existing access road at the Bury and Bolton Road end are acceptable and would improve vehicular access to and from the more minor road.

The upgrading of a private right of way does not need planning permission. Planning permission is required due to the extent of the works outside the defined Public Right of Way. Surfacing of an unmade access road and the formation of two passing places may be acceptable if the impact of the new surfacing works and associated development does not have a detrimental impact on the character and openness of the Green Belt.

The construction and use of the new cycleway to allow vehicular traffic to and from the two properties at Lower Spen Moor would be assessed on its merits and in the light of Green Belt policy and highway safety.

Enforcement - A Planning Contravention Notice (PCN) has been issued following complaints of car sales operating from Lower Spen Moor. The resident at Lower Spen Moor has claimed that the use of the site for car sales has been established by 10 years continuous use. As it stands currently the claims are being investigated.

Openness of the Green Belt - The NPPF indicates that other forms of development, that is not building, can be appropriate in Green Belt provided they preserve the openness of the Green Belt. The engineering operations required to reconstruct the access road fall would into this category if it preserves the openness of the Green Belt.

The proposal to resurface the access road itself, whilst altering its general appearance to an extent, would not have a serious or significantly material impact on the openness of the Green Belt. The width is not changing and the new hedge planting along both sides would have a significantly mitigating impact on its openness and character by maintaining its semi-rural appearance.

The proposed passing places however result in the widening of the road at two points. These passing places, which are over 30m long to facilitate the passing of large agricultural vehicles, could, without appropriate mitigation, have a material impact on the openness and character of the Green Belt. However the proposed hedge planting along the back of the passing places and continuous with the hedging along the road, would allow sufficient mitigation in this particular case and would not have so serious an impact on the openness of the Green Belt to warrant refusal.

On balance, the proposal would not have a serious impact on the openness or character of the Green Belt and would comply with the NPPF and UDP Policy OL1/5 Mineral Extraction and Other Development in the Green Belt.

Landscape character and Visual amenity - In terms of visual amenity, the newly resurfaced track, with its new asphalt surface would appear less 'rustic' and in the short term at least, the new hedging at the junction and along parts of its length would appear less mature than the existing hedging.

However, in the medium to long term, as the new hedging matures, it would form an effective and attractive feature along the road, mitigating somewhat the alterations to the road.

On balance, whilst the visual impact of the proposed resurfaced track would be less 'rustic', the new hedge planting and landscaping, this would not be a strong reason to warrant refusing the application.

Ecology - The access track falls within Spen Moor SBI and at its closest within 50m of pond that has historic record for great crested newts. However the nature of the development is such that significant ecological impacts are unlikely and avoidable with the use of appropriate conditions and informatives. This is confirmed by Greater Manchester Ecology Unit (GMEU).

Spen Moor SBI - The proposed development falls within what is currently still Spen Moor SBI, though it is accepted that a boundary revision is required. The area involved was however included for its connectivity between ponds, the track itself having negligible ecological value. The only impact on the SBI would be from the removal of section of hedgerow to create passing places. The hedgerows are not however a primary reason for the sites ecological value which relates to its pond and associated wetland fauna. As long as replacement hedgerow is planted around the rear of the passing places there is no objection in relation to the SBI from GMEU. The Local Planning Authority agrees with this assessment.

<u>Great Crested Newts</u> - The GMEU believes there may still be a very low population of great crested newts associated with the pond east of Higher Spen Moor. However the risk of newt habitat being lost is low to negligible. The short sections of hedgerow to be lost do however provide potential resting and foraging habitat. The areas to be lost are however not within 50m of the potential breeding pond and currently seperate by hostile habitat resulting from the development presently on site.

Whilst there is currently no justification for a great crested newt assessment, there is cause for pre-cautionary measures to be taken during construction, if approved. It is recommended that a Reasonable Avoidance Method Statement (RAMS) is required by condition.

<u>Loss of Hedgerow</u> - Sections of hedgerow would be lost as a result of the development. The hedgerow is not protected under the hedgerow regulations and mitigation is possible through planting a new hedgerow along the new boundary. The new hedgerow should be hawthorn in keeping with farm landscape in the wider area.

<u>Nesting Birds</u> - Sections of hedgerow are to be lost potential bird nesting habitat. All British birds nests and eggs are protected by Section 1 of the Wildlife & Countryside Act 1981. A condition could be attached to any approval restricting development during the nesting season.

In conclusion, there would be no objection to the proposal subject to landscaping and ecological mitigation conditions and would comply with the NPPF and UDP Policies relating to ecology.

Traffic and Public Right of Way - The alterations to the road at the junction with Bury & Bolton Road would improve visibility and turning and as such would be acceptable in terms of highway safety. Resurfacing of the existing track with bitmac would not necessarily cause serious problems either. It could possibly increase vehicle speeds along the road but not to the extent that it would cause undue concern beyond the existing circumstances and serves a very limited number of properties.

Connecting the track to the two properties at Lower Spen Moor via the proposed cycleway however has raised public safety issues. Allowing vehicular traffic onto the cycleway introduces a certain degree of conflict between drivers, cyclists and pedestrians. Whilst in

itself this may not be a serious problem, the situation needs to be managed appropriately.

The declaration of the resident at Lower Spen Moor Farm that he has been operating a used car business at the premises for more than 10 years, has created a situation that is less than clear. Should it be established that the used car business is lawful, and this is not the case at present, there is potentially a situation that means that vehicles are being delivered to the premises, and cars are delivered to customers, via the cycleway.

Both the Traffic Team and the PRoW officer raised initial concerns that should 'non-residential' traffic be introduced onto the cycleway as a result of the operations of the used car sales business, may be detrimental to the safety of pedestrians and cyclists using the existing footpaths and cycleway.

However the alternative, using the existing route, past Middle Spen Moor, through to Bury and Bolton Road, would have its own problems. The route is also a PRoW and as such there would be a certain degree of vehicular/ pedestrian conflict. In addition, and more importantly, the route would still offer an alternative 'rat run' into the new estate, something that the Local Planning and Highways Authority wants to avoid.

The introduction of the vehicular passing places along the proposed route is considered necessary in the interests of highway safety. In addition, some concern has been expressed that new residents at the Tudor Grange estate could at some points along the route where there are gaps in the hedgerow, cut through from the track into the estate. In response to this, the landscape proposals, and the associated condition would ensure that this would not happen.

Regarding the potential designation of the access track as a bridleway, as requested by the Rochdale and Bury Bridleway Association. If the landowner specifically does not want to dedicate the route as a bridleway, it would be very difficult to force the designation. However, this is not to say that the issue cannot be revisited at a later date.

Objections - The material planning objections relating to the proposal have been addressed in the above report.

The many objections relating to the idea that the proposed alterations to the single width track would enable further residential development in the Green Belt beyond are, given the nature and scale of the road, not considered relevant. It is not considered that this track would be able to serve more houses than those to be served by this scheme.

Given the relatively modest changes to the existing track and the conditions attached to any approval, the impact on the Green Belt and SBI and wider countryside from the scheme is not considered to be seriously detrimental. As such the proposal would, on balance, comply with the NPPF and UDP Policies and guidance listed.

Deed of Variation - In the event of this scheme being approved by the Planning Control Committee, such a determination would also authorise accepting the Deed of Variation for changing the pre-existing S106 legal agreement relating to the provision of the cycle route, to allow the route to be used for the provision of vehicles to/from Lower Spen Moor only.

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 SCP/16082/ATR01/C, F01/I, F02/D, F03/E, 3638/01/D and 02 and the development shall not be carried out except in accordance with the drawings hereby approved.

 Reason. For the avoidance of doubt and to ensure a satisfactory standard of
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 6 months from the date the works to the road/cycleway are completed. 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.

<u>Reason</u>. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/1 Visual amenity.

4. Access to the residential properties at Lower Spen Moor Farm and Lower Spen Moor Barn shall not commence unless and until the upgrading of the existing access track/Public Footpath No. 12, St. Andrew's, Radcliffe, provision of passing places and formation of the proposed 'vehicle bearing cycle route' indicated on the approved plans, incorporating improvements at the junction with Bury and Bolton Road to a specification and scope to be approved, the relocation of the proposed 'Private Road' sign clear of the adopted highway, installation of public footpath fingerposts, kissing gates and stiles at positions/junctions along the route to be approved and all associated highway and highway drainage remedial works, have been implemented to an approved programme/schedule.

<u>Reason</u>. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway and public right of way network affected by the proposals pursuant to the NPPF and UDP Policies HT6/2 Pedestrian/Vehicular Conflict and RT3/3 Access to the Countryside and RT3/4 Recreational Routes.

- 5. 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:
 - Details of 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 construction operations.
 - Access route for construction traffic from the highway network;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site of operatives' and construction vehicles together with storage on site of construction materials.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the

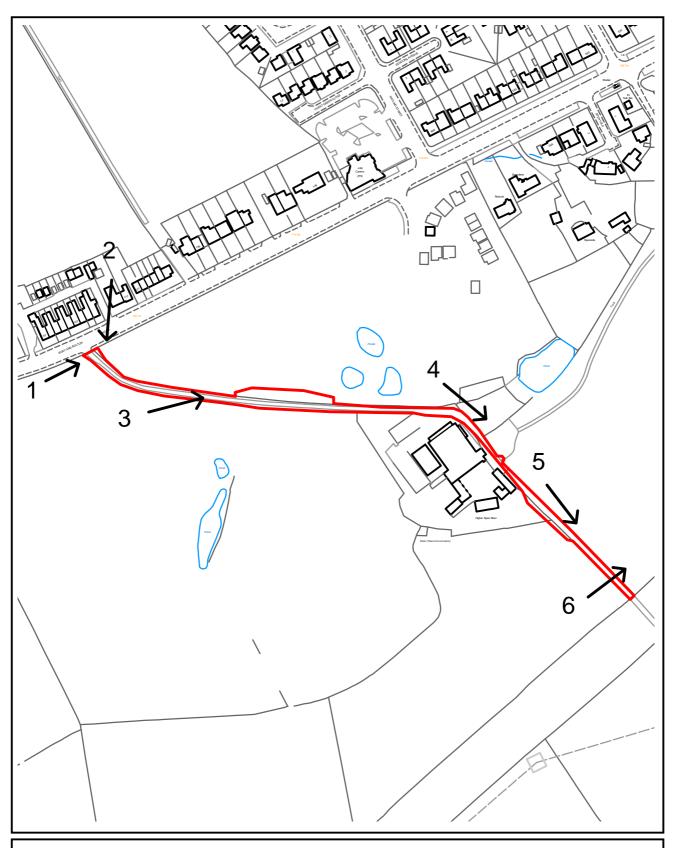
duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

Reason. No details have been submitted and 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 the NPPF and UDP Policy HT2 Highway Network.

- 6. The visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the intensified use of the access track commences and subsequently maintained free of obstruction above the height of 0.6m.
 - <u>Reason</u>. To ensure the intervisibility of the users of the access track and the adjacent highways in the interests of road safety pursuant to the NPPF and UDP Policy HT2 Highway Network.
- 7. Prior to any earthworks or site clearance a reasonable avoidance measures method statement for amphibians be supplied to and agreed in writing by the LPA. Reason. In order to protect amphibians pursuant to the NPPF and UDP Policy EN6/4 Features of Ecological Value.
- 8. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.
 - Reason. No details have been submitted and in order to protect nesting birds pursuant to the NPPF and UDP Policy EN6/3 Features of Ecological Value.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 60992

ADDRESS: Higher Spen Moor

Bury and Bolton Road

Radcliffe Planning, Environmental and Regulatory Services

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60992



Photo 2





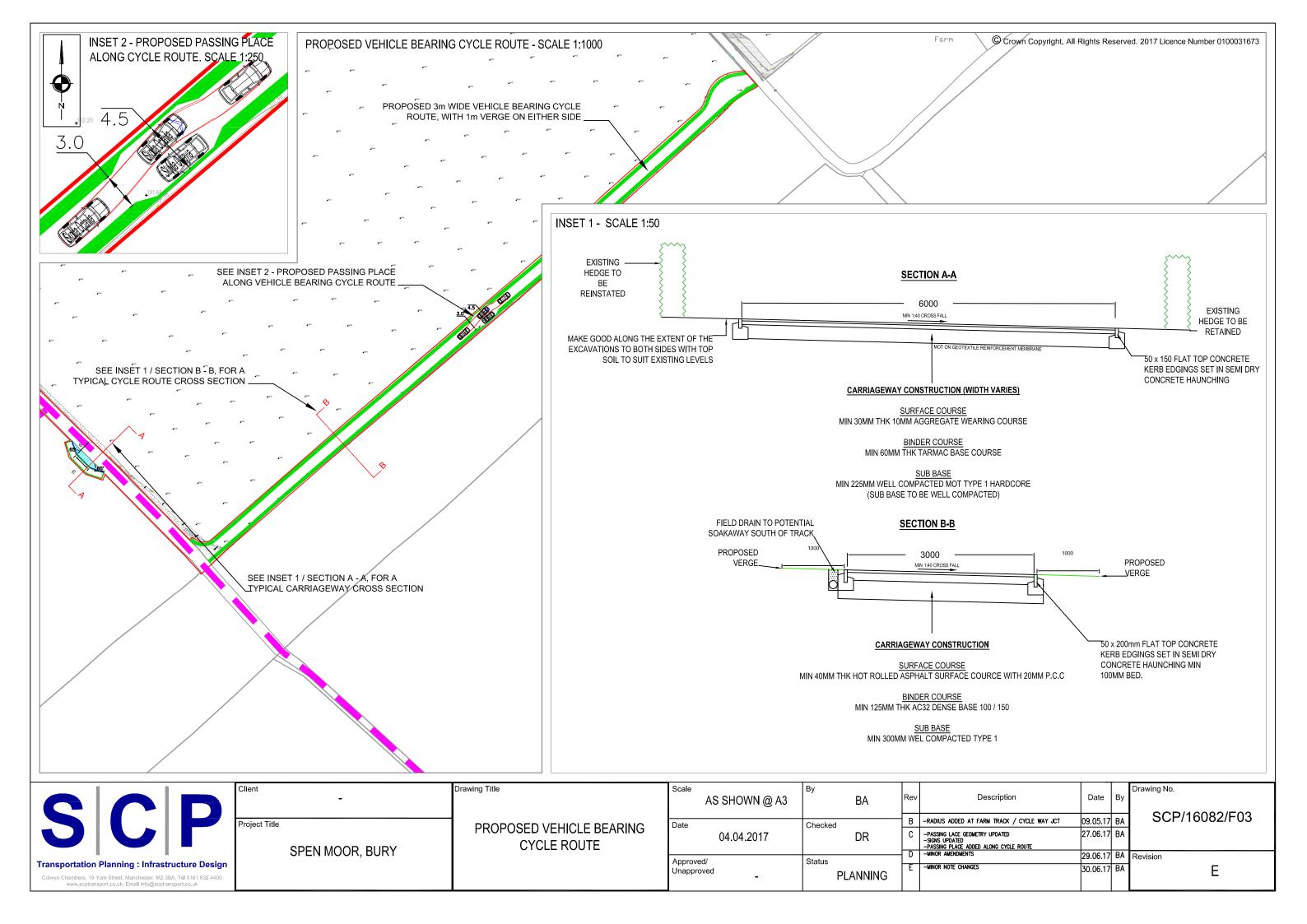
Photo 4

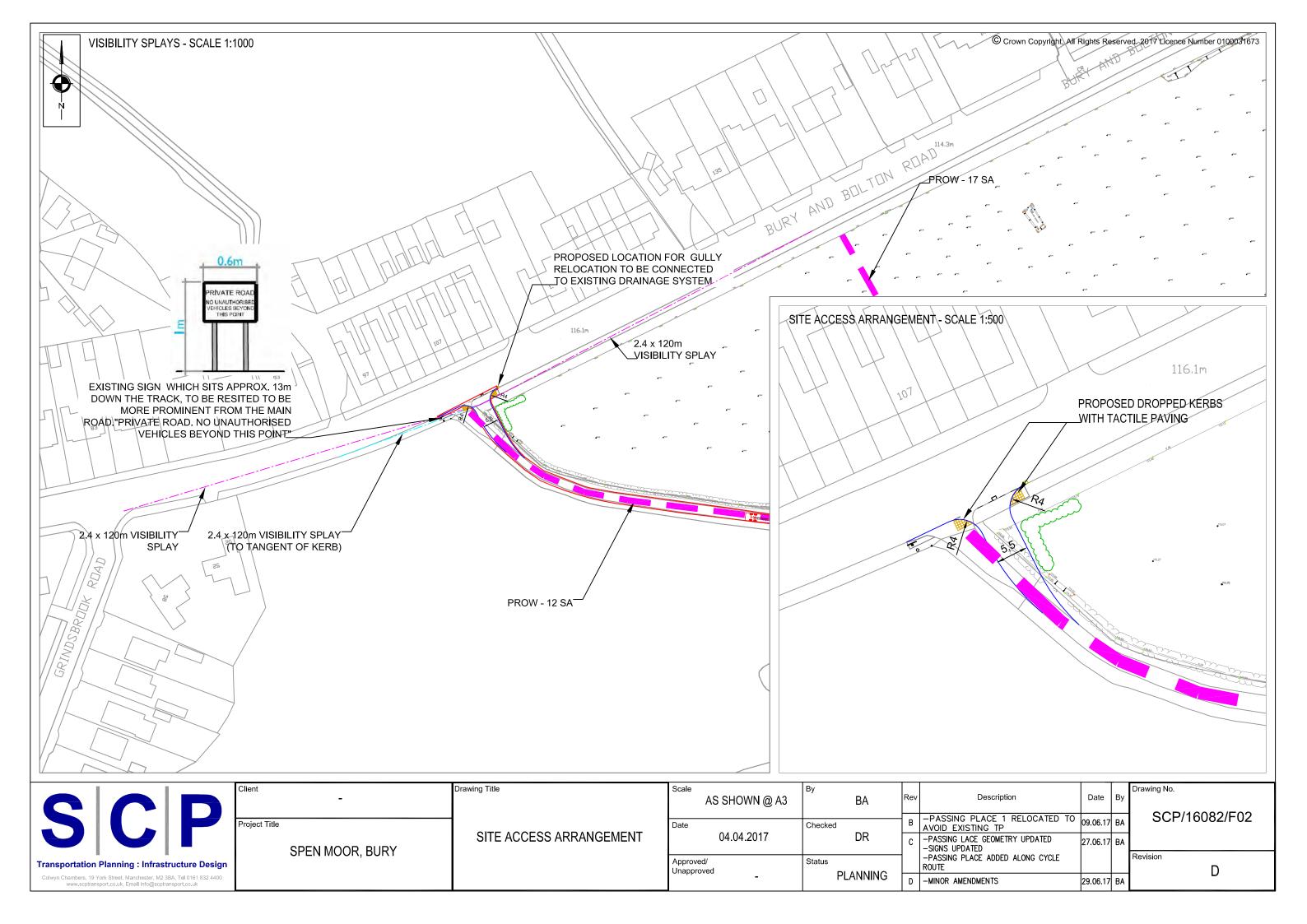


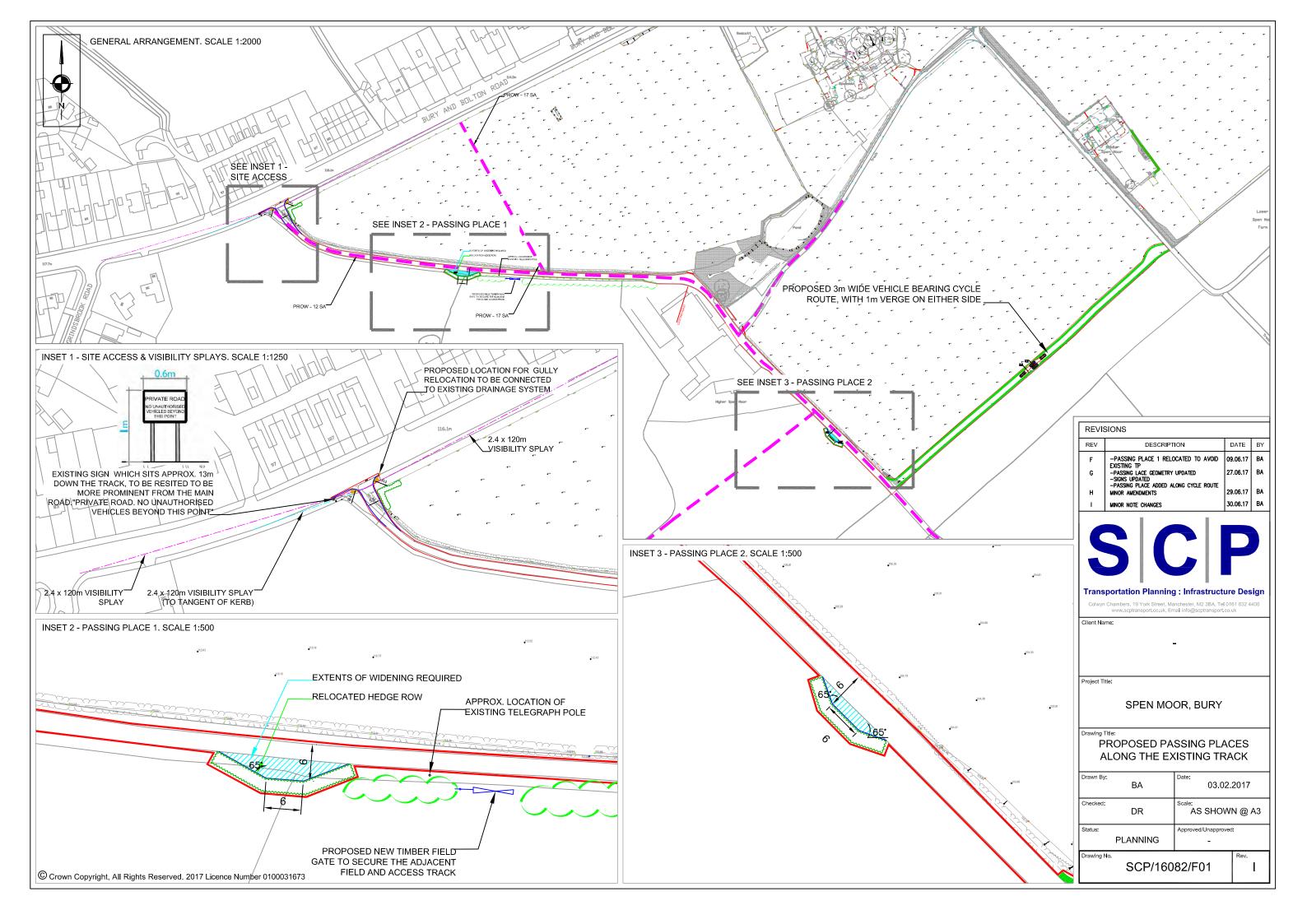


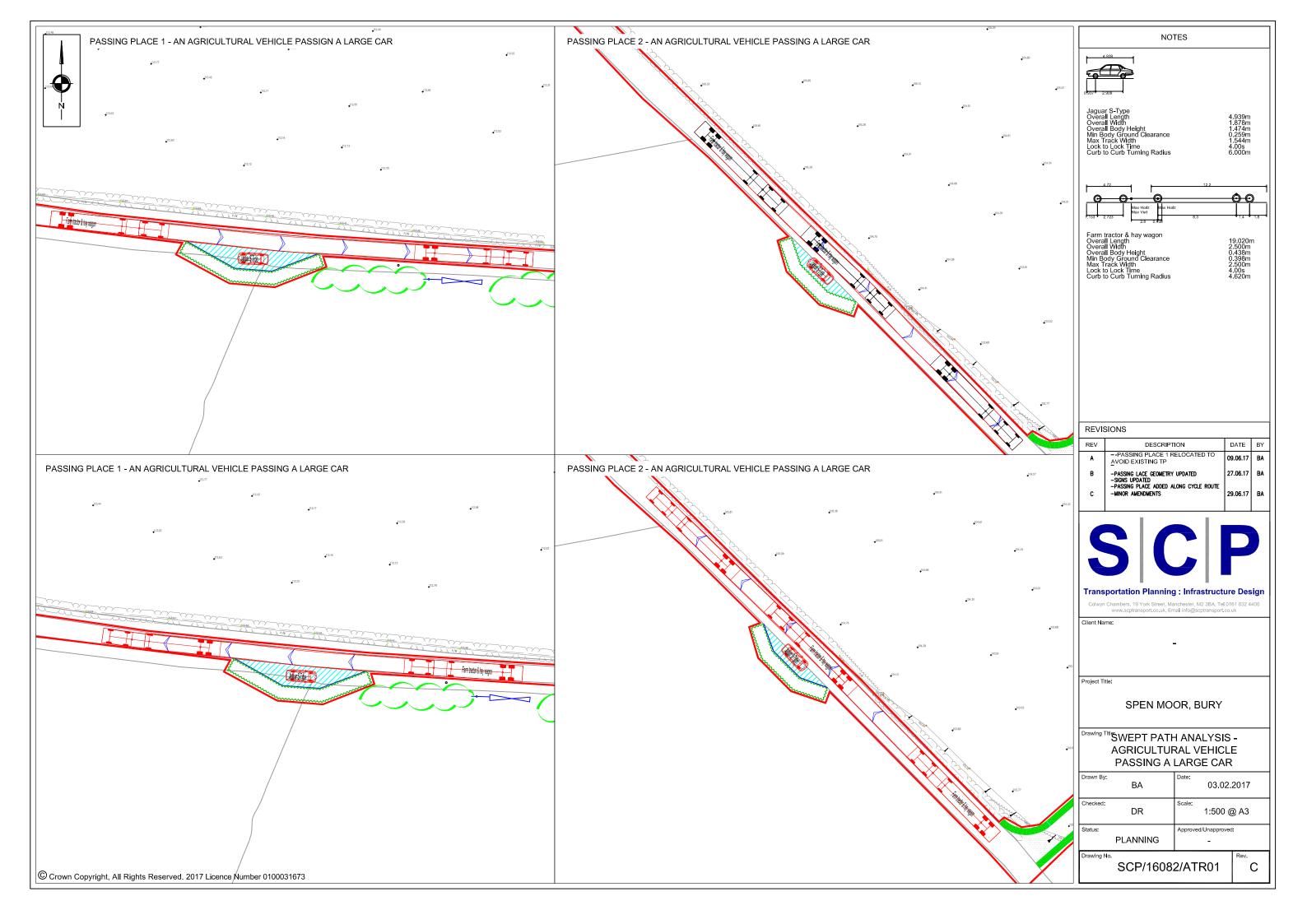
Photo 6

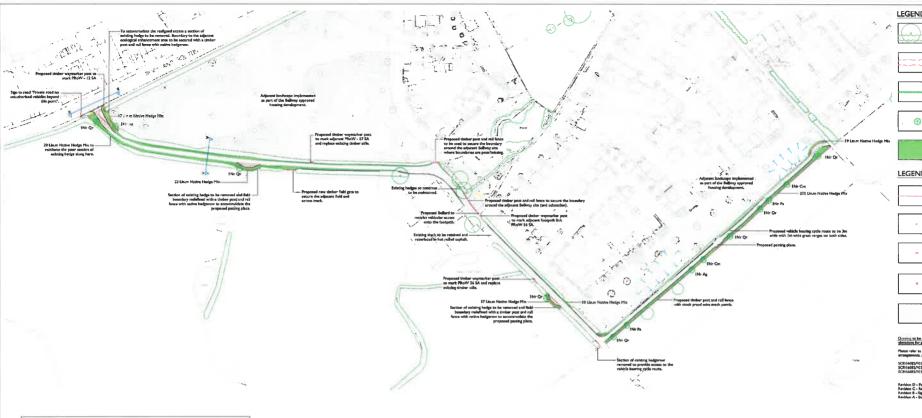








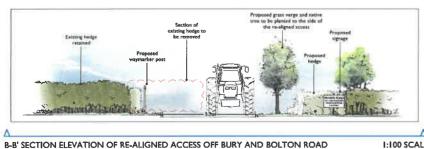




Adjacent ecological enhancement area installed as part of the approved xisting track retaine ├── 3.0m-

A-A' SECTION THROUGH EXISTING LANE

1:100 SCALE



DAME	POSILOGE				-
Abb	Species	Туре	Height (cm)	Density	Total
MATTY	HEDGEROW-Planted at 6 per lin.m in	a staggered row - Plants to	be protected with	a spital bound sh	rub guare
Cm	Crataegus monogyna	BR	60-80	50%	954
Ca	Corylus avellana	BR	60-80	20%	382
Sn	Sambucus nigra	BR	60-80	10%	191
Vo	Vibumum opulus	8.8	60-80	10%	95
Re	Rosa canina	BR	60-80	5%	95
THELE	ANTING - Planted with a timber stake	and secured with a rubber	tree tie		
Ag	Alnus glutinosa	10-12cm RB	3-4m	as shown	2
Pa	Prunus avium	10-12cm RB	3-4m	as shown	2
Cm	Cratinegus moningyria	10-12cm RB	3-4m	as shown	2
Gr_	Operous robur	10-12cm RB	3-4m	as shown	7
Ali tres	es to bave min 2m clear stem				-

PLANTING NOTES

- 1. Pink handling at the norsery, and during transit up to dalivery, skull be in accordance with Pinker Handling, the booker published by the Committee for Pink Supply and Establishment (CES). The contractor shall comply with classes 3 & 4 of the shown housider, (databased from the Horsteckner Trades Association. 19 High Street. Thesis, Residing, Barla RGJ 95th which refers to the receipt, anisoteling and temporary.
- 2. Plants shall be first class complex of their species or variety, free from all pasts and disasses, while good fibrous root systems and materially undamaged (refer to relevant sections of 853936 Parts I-4 Specification of Nursery Stock).
- 3. All planting is to be in general compliance with BS4428: 1989 'Code of Practice for general landscape operations
- 4. Trea Planting: 1) It-IZ:m Selected Standards to be planted in pits 650 x 850 m s50mm deep (tase broken out to facilitate drainings) and stree fertilises incorporated into the back fill insteard. 4), All trees to be stabled using 100 dis abort stabes and secured to the tree with rabber webbing it is and apears.
- 5. Native Hedgerows:

 1) Leaph of the hedge to be treated with a non-residual glyphosase based herifacile point to phanting.

 4) Notich plant the fare most whips into the ground and heel lates place.

 4) Protect shrults with a spiral bound bloodgradable shrub goard and secure in place with limited raish.

- Gress Verger.
 Area to be treated with a non-residual glyphosate based herbickle prior to seeding.
 Natice to heartow surface and roll to fairly fine, firms surface.
 Sow Emorapate wildflower and grassland seed mice at 4g per sq.m.
- 7. All Trues. Hedges and newly seeded grass verges to be watered in the first year of establishment during periods of drought. The base of newly plasted trees and hedges to be maintained weed free until established to reduce competition from weed.
- 8. The contractor must ascertain himself herself of the exact location of under and services after to a represent a works on size and be sware of working within a white accessible areas and also to a highway.

LEGEND - SOFT WORKS



LEGEND - HARD WORKS

Proposed Timber Post and Rull Fence; To be installed as shown to secure the ad fitted with a stock proof wire such fence.

Please refer to SCP drawings as Pased below for detailed information on the site assess arrangements, proposed passing places and cycle route construction works:



DEP LANDSCAPE ARCHITECTURE LTD

BLACKFRIARS HOUSE, PARSONAGE MANCHESTER, M3 23A 1: 0161 2419878 E: Info@dep.co.uk W: www.dep.co.uk

Peel Holdings Ltd

Lower Spen Moor

Access Track - Landscape Plan

Planning.

1:1000@A1

ES chkd EP

3638 01

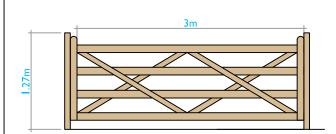
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All liveds and diministrate to be checked on site by oversector prior to consencement. Any sentitions to be reported to the dient. This diversity is to be read in conjunction with all other principles to the project and is information derived at the configuration of the configurati

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1:100 SCALE



DETAIL I - FIELD GATE 3m WIDE

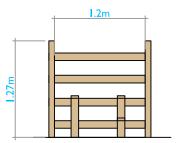
From: jacksons-fencing.co.uk - (01233 750393) or equal approved.

Specification:

3m Universal Hanging Field Gate Planed Finish, Jakcured. I.27m high x 3m wide with length/depth rails/batons of 75mm. Supplied in natural Jakcured finish. 25 year Jakcure Guarantee.

Gate to be fitted with:

'Hanging System for Single Leaf Gate hung behind posts' I Heavy galvanised Adjustable Hinge Set; I Auto Catch latch set; I Anti lift device; Fitting of irons to gates.

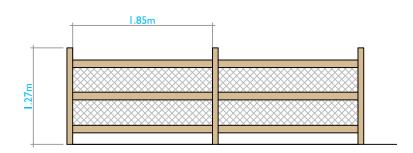


DETAIL 2 - STILE

From: jacksons-fencing.co.uk -(01233 750393) or equal approved.

Specification:

 $3 \times 1.8 \text{m} \log \times 125 \times 75 \text{mm}$ posts. Post length allows for 525mm in ground. Stile Set (4 Bar Unit)= Inc 2 Treads & 4 Risers (Jakcured)=Stile Set (4 Bar Unit)= Inc 2 Treads & 4 Risers.



DETAIL 3 - TIMBER POST AND RAIL FENCE

From: jacksons-fencing.co.uk - (01233 750393) or equal approved.

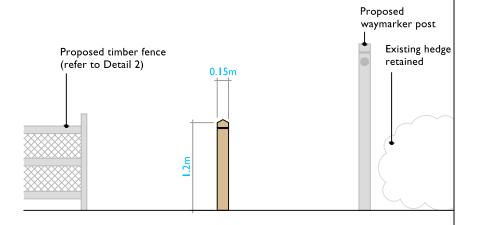
Specification:

1.27m high, For a 3 rail fence, allow 1.85m between vertical posts, plus one for the end of the run.

Supplied in natural Jakcured finish. 25 year Jakcure Guarantee.

Fence to be fitted with:

50mm galvanised steel nails. Product code: 800100 (1kg). Stock proof agricultural wire fence. Product: Sheep Fence 900mm. Wire will be Galfan coated, with 6 line wires and uprights 300mm apart. Supplied in 50m or 100m rolls for high tensile.



DETAIL 4 - TIMBER BOLLARD

From: jacksons-fencing.co.uk - (01233 750393) or equal approved.

Specification:

1.2m high x 0.15m square wide. With a 'Type D - Square with Shaped Top and Grooved finish'.

Supplied in natural Jakcured finish. 25 year Jakcure Guarantee.

Drawing to be read in conjunction with 3638.0 ID Access Track - Landscape Plan.



BLACKFRIARS HOUSE, PARSONAGE

MANCHESTER, M3 2JA
T: 0161 2419878
E: info@dep.co.uk
W: www.dep.co.uk

Peel Holdings Ltd

Lower Spen Moor

Proposed Details

Planning

1:50@A3 ES chkd EP

3638 02 June 17 -

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All levels and dimensions to be checked on site by contractor prior to commencement. Any variations to be reported to the client. This drawing is to be read in conjunction with all others relating to the project and all information derived accordingly; any anomolies to be reported to the client. Do not scale from this drawing. Use figured dimensions only. Work shown on this drawings to be carried out in accordance with current British Sandards and Codes of Practice.

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DETAIL 5 - TIMBER WAY-MAKER POST

From: the-green-oak.co.uk/signs - (01435 810402) or equal approved

Specification:

2.25m maximum above ground and 0.9m below ground and 100x100mm minimum wide. Softwood pressure treated timber, Inline with 'Waymarking public rights of way - Natural England Guidelines'.

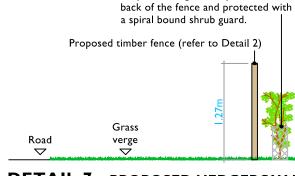


DETAIL 6 - SIGNAGE

From: Hirst Signs - (01909 723364) or equal approved.

Specification:

3mm Reflective Aluminium Sign manufactured to BSEN 12899-1; 2007. 600x450mm size and post mounted.



DETAIL 7 - PROPOSED HEDGEROW PLANTING

Proposed hedge to be planted at the

Specification:

Hedgerow planting to be 60-80cm Bare Root whips as specified on drawing 3638.01D Access Track - Landscape Plan and should be planted with a spiral bound shrub guard.

Ward: Radcliffe - North Item 02

Applicant: Mrs Emma Davies

Location: Land between 8 & 9 Radelan Grove, Radcliffe, Manchester, M26 3NG

Proposal: Erection of detached bungalow

Application Ref: 61085/Full **Target Date**: 03/04/2017

Recommendation: Approve with Conditions

Description

The application relates to a square plot of land in the south west corner of the cul-de-sac but includes the road and footways along Radelan Grove itself. The flat site is currently unused and comprised of rough grass and shrubs and there is evidence of small scale dumping of refuse. The land is bounded on all side by housing and the boundaries comprise timber or concrete panel fencing. The property immediately to the north (No.9) has a gable end facing the site with a ground floor kitchen window and first floor wc/bathroom. The house to the east (No.8) has a small ground floor hall window in the gable facing across the site.

The proposal is to site a detached 3-bed bungalow centrally on the plot. It would roughly be in line with the row of houses (Nos.5-8) at the head of the cul-de-sac. The building would have a rectangular footprint measuring 15m by 8.6m with a ridge height of 6m and eaves to 3m. It would have a brick plinth and be finished in a render with a tiled roof. There would be no driveway or parking on site but the application includes a revised parking layout on Radelan Grove that includes the removal of the small 'roundabout' and the provision of additional parking spaces within the verges on either side of the road. Currently there is space for approximately 9/10 parking spaces on the road. The proposed scheme proposes 14 on-street spaces and an additional off road space in front of No.4.

Relevant Planning History

01007/E - Residential development - Enquiry completed 24/02/2012

59762 - Erection of dwelling - Refused 05/05/16.

59763 - Erection of detached bungalow (land between 4-5 Radelan Grove) - Refused 05/05/2016

Publicity

The following neighbours were notified by letter dated 06/02/17. 1-12 Radelan Grove, 2, 4, 6, 8 Morley Road, 1-23A (odd) Milton Road, 1-4 Chaucer Avenue, 75 and 77 Kilburn Road.

Representations received from the occupiers of Nos.4,5, 6, 8 and 9 Radelan Grove and concerns are centred around parking:

- There are existing parking problems on the cul-de-sac and the proposed scheme is not the solution.
- The construction and construction vehicles would cause parking problems, noise, dust and pollution.

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

Consultations

Traffic Section - No objections subject to conditions. **Drainage Section** - No objection **United Utilities** - No objection

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention EN10/1 Derelict Land

EN5/1 New Development and Flood Risk H1/2 Further Housing Development

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

HT2/4 Car Parking and New Development

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

SPD16 Design and Layout of New Development in Bury

NPPF National Planning Policy Framework

HT4 New Development

Issues and Analysis

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

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

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

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

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

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

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

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

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

Visual Amenity - With an area measuring 480sqm, the plot is relatively large and considered capable of accommodating a single dwelling without appearing to constitute overdevelopment or be out of character within the locality.

In terms of siting and massing, the new dwelling would be centrally positioned on the plot and generally in line with other properties along the head of Radelan Grove. With an eaves height 3m and a maximum ridge height of 6m, the proposed dwelling, with a pitched roof, whilst being a bungalow, would not be out of character with the surrounding houses.

The design and appearance of the proposed house is quite traditional with a brick and render finish and tiled roofs. Whilst the houses in the area are predominantly red brick, the rendered finish would not be unusual and in this case, would be acceptable. The proposal, in terms of design and appearance, complies with the NPPF and UDP Policies EN1/2 Townscape and Built Design and H2/1 and H2/2 in relation to housing.

Residential Amenity - The proposed dwelling would be side-on to the neighbour's house at No.8 Radelan Grove. The gable of this property has no habitable room windows and the new build would extend back approx 2.5m beyond the rear elevation. The proposal therefore raises no residential amenity issues in this respect.

There are windows on the side of No.9 Radelan Grove but these are to either none habitable rooms or are secondary windows that cannot be afforded the same weight as primary habitable room windows.

The houses to the west, fronting Morley Road, are situated across private rear gardens at a distance of approximately 20m. To the south, the houses on Milton Road are approx 19m away. There are no serious overlooking issues and the separation distances are considered acceptable and should protect the amenity of neighbours and future residents of the new house.

In terms of residential amenity, the proposal would comply with UDP Policies H2/1 and H2/2 and detailed standards set out in the Council's adopted guidance within SPD 6 Extensions and Alterations.

Parking and Access - Given the limited space between the existing houses at No.8 and 9, the proposed dwelling would not have vehicular access or on-site parking. In order to compensate for the lack of on-site parking, the proposal includes the rearrangement of the existing parking along the road, the removal of the small 'roundabout' at the head of the cul-de-sac and the creation of additional parking spaces within the verges.

Given the existing problems with parking on the cul-de-sac, the proposed changes are welcomed and would improve both parking and manoeuvring for residents.

The proposal, including the revised parking arrangements are supported by the Traffic Section and would comply with the NPPF and UDP Policies HT2/4 Car Parking and New Development, H2/2 The Layout of New Residential Development.

Waste collection - It would be normal practice to keep bins within the garden area and bring them to the roadside on collection day. This arrangement is considered satisfactory and complies with UDP Policy H2/2 The Layout of New Residential Development.

Ecology - There are no significant trees on site and the proposal does not impact on wildlife. The landscaping scheme that would follow the new build would likely have a positive impact on ecology.

Land Contamination - Environmental Health require a risk assessment and prior to commencement of works and an appropriate condition would be attached to any approval.

Objectors - The issues with regard to parking are understandable as there are clearly parking problems on the road. It is considered that the proposal would lead to improvements to parking and manoeuvring and address the concerns raised.

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.

 Peason Required to be imposed by Section 91 Town & Country Planning Act
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings numbered 001.2, 003.3 and parking plans 1557/SP/01, 02 and 03 the development shall not be carried out except in accordance with the drawings hereby approved.
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details/Samples of the materials to be used in the external elevations, boundaries and areas of hardstanding together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
 Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 Townscape and Built Design.
- Before first occupation of the dwellinghouse hereby approved, the proposed parking scheme detailed in parking plans 1557/SP/01, 02 and 03, shall be implemented in full.
 Reason. In order to provide sufficient car parking provision in the interests of highway safey pursuant to UDP Policiws H2/2 and HT2/4.
- 5. 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.
- 6. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

- 7. Following the provisions of Condition 7 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
 - <u>Reason</u>. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 Conserving and enhancing the natural environment.
- 8. No development shall commence unless and until surface and foul water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. 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 shall be implemented prior to first occupation and thereafter maintained.
 - <u>Reason</u>. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 Water Pollution and EN7/5 Waste Water Management and Section 10 the NPPF.
- 9. Notwithstanding the details indicated on approved plan reference 1557/01 Revision A, no development shall commence unless and until full details of the proposed parking alterations on Radelan Grove, incorporating the formation of two parking lay-bys to a specification and kerb entry/exit detail to be agreed, removal of the existing 'roundabout', resurfacing of all areas of affected carriageway, white lining scheme to a scope to be agreed and all associated highway and highway drainage remedial works, have been submitted to and approved in writing by the Local Planning Authority. The details subsequently approved shall be implemented to an agreed programme.
 - <u>Reason</u>. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and mainatin the integrity of the adopted highway pursuant to the NPPF and UDP Policy HT4 New Development.
- 10. 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
 - 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;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site of operatives' and construction vehicles together with storage on site of construction materials.

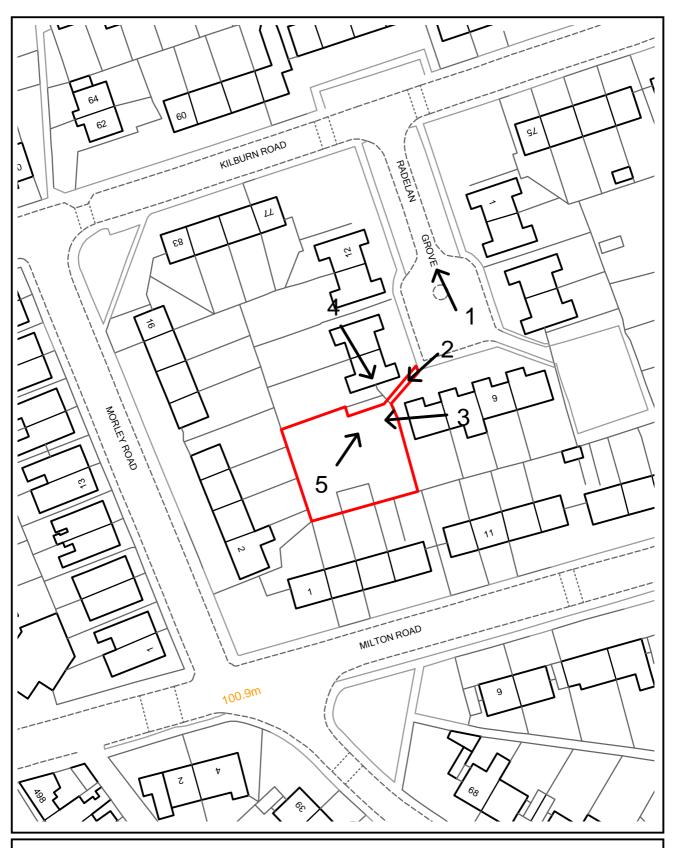
The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles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

construction materials.

<u>Reason</u>. 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 UDP Policy H2 Highway Network.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61085

ADDRESS: Land between 8 & 9 Radelan Grove

Radcliffe

Planning, Environmental and Regulatory Services

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61085



Photo 2

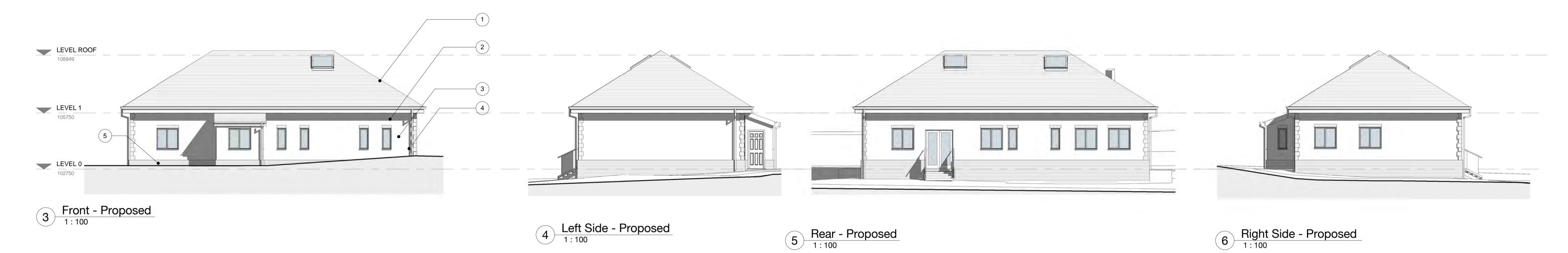


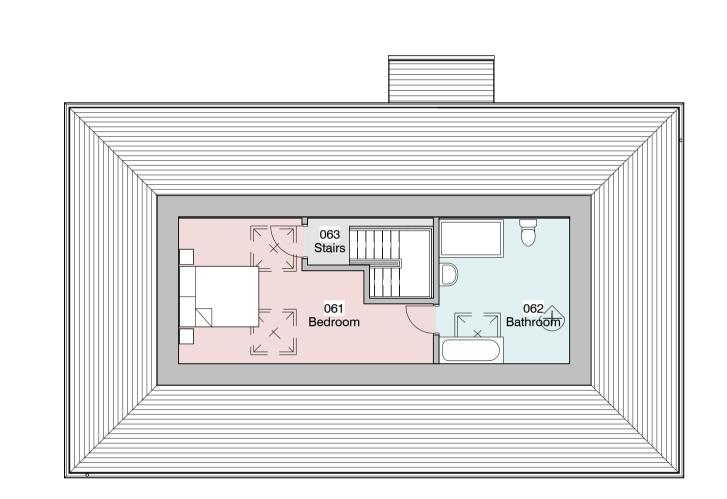


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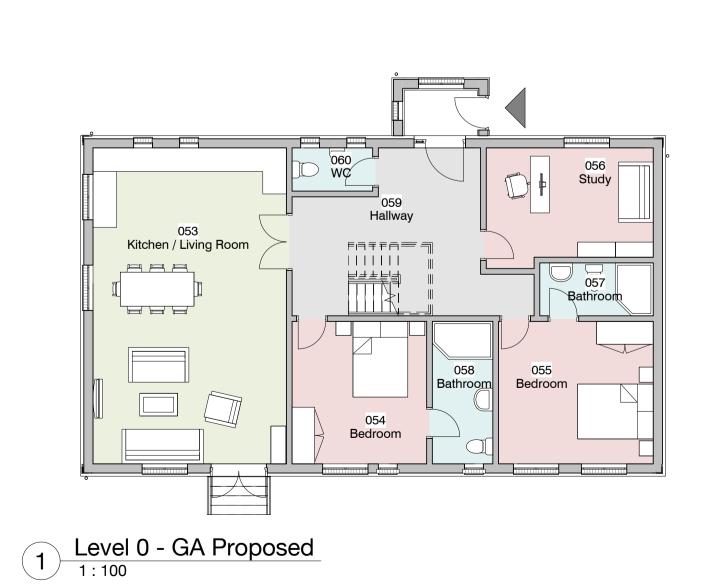


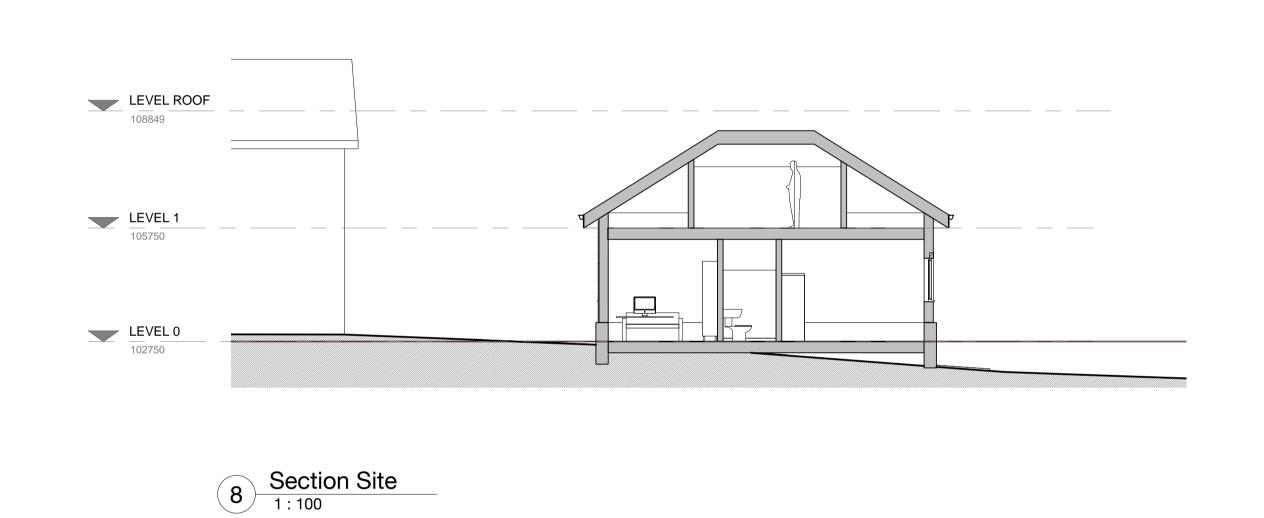






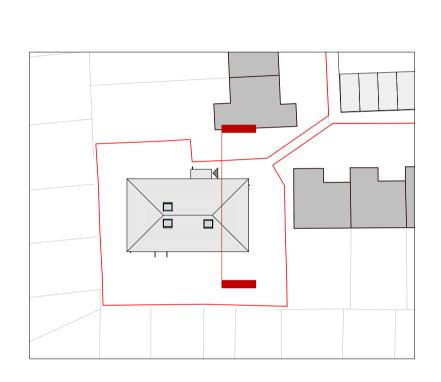




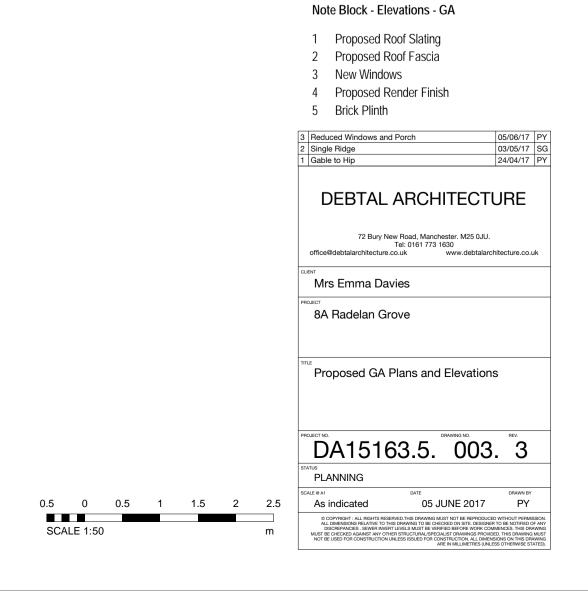


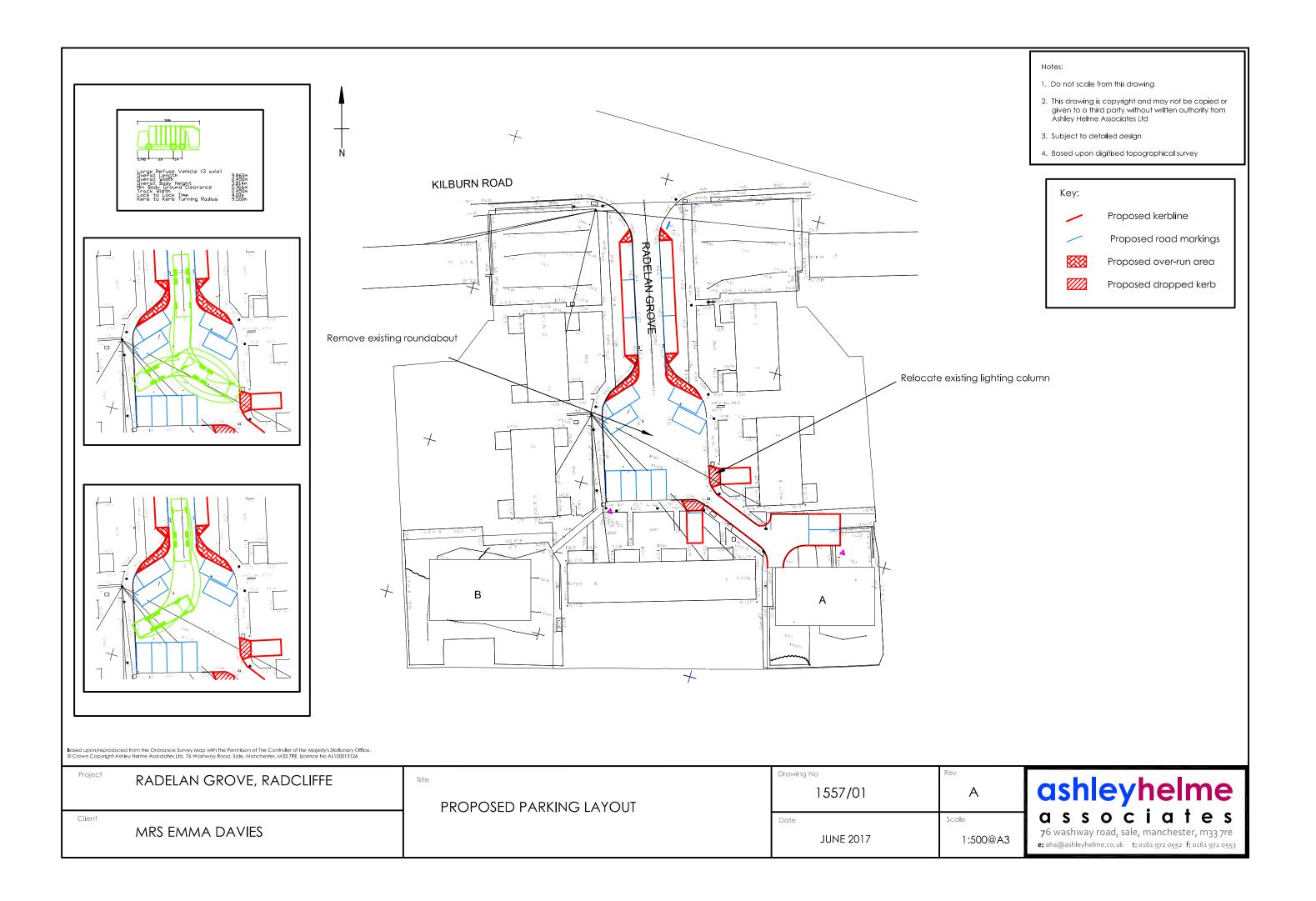


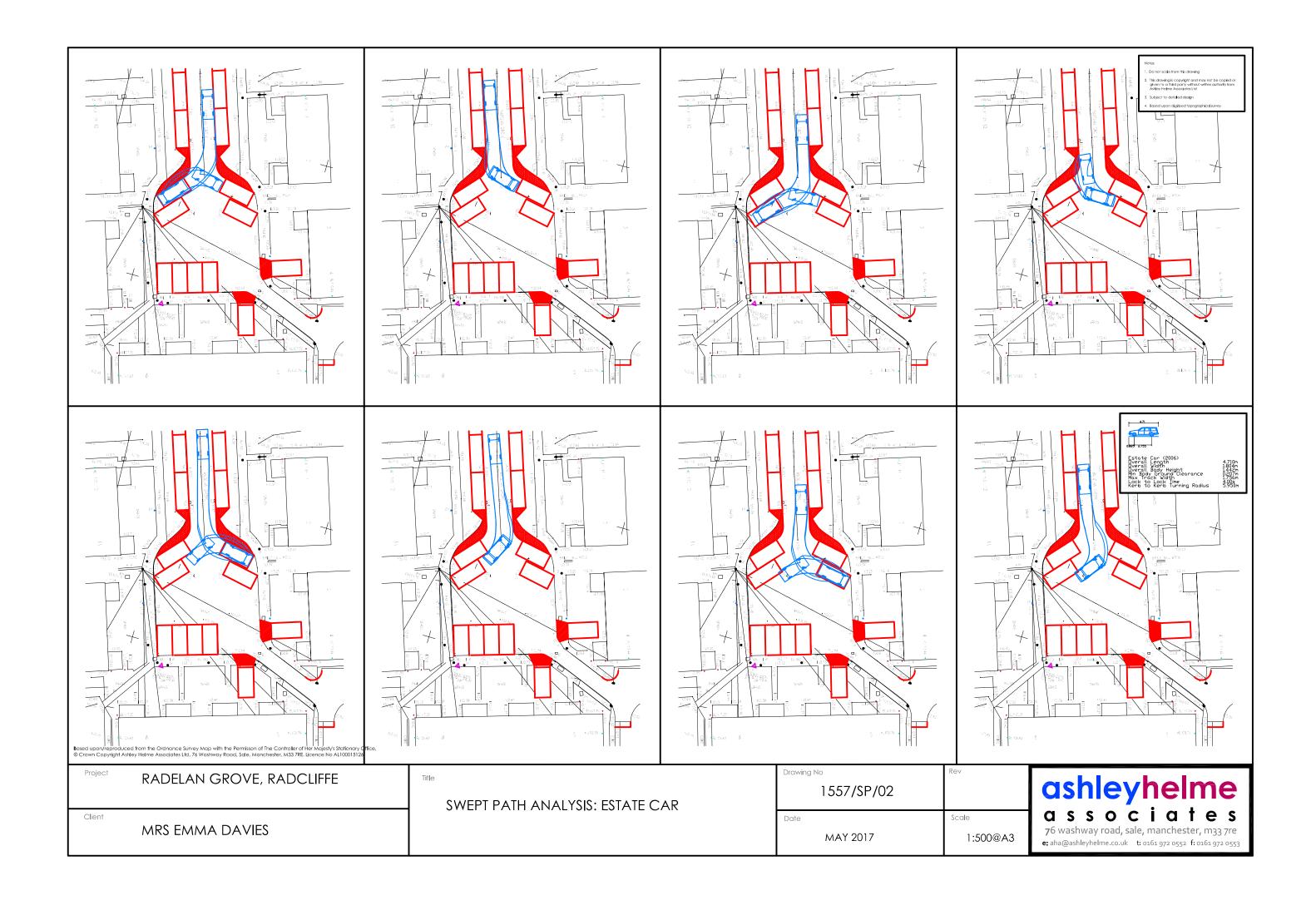
7 3D Axo - Proposed

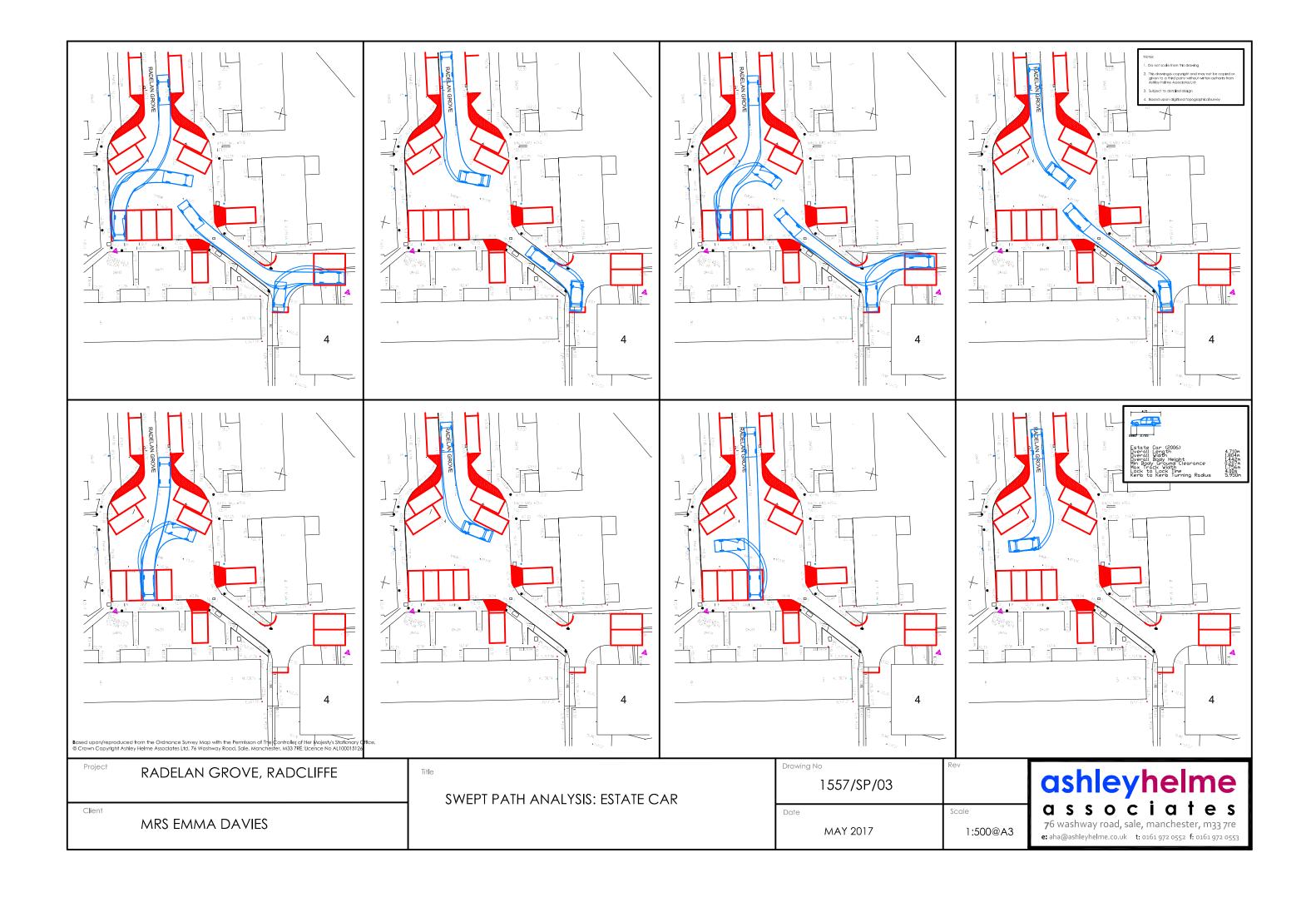


9 Key Plan - Section
1:500









Ward: Radcliffe - North Item 03

Applicant: Mrs Emma Davies

Location: Land between 4 & 5 Radelan Grove, Radcliffe, Manchester, M26 3NG

Proposal: Erection of detached bungalow

Application Ref: 61086/Full **Target Date:** 29/03/2017

Recommendation: Approve with Conditions

Description

The application relates to a square plot of land in the south east corner of the residential cul-de-sac. The flat site is currently unused and comprised of a hardstanding and there is evidence of small scale dumping of refuse. The land is bounded on all side by housing and the boundaries comprise timber or concrete panel fencing. The property immediately to the north (No.4) has a gable end facing the site with a ground floor kitchen window and first floor wc/bathroom. The house to the west (No.5) has a blank gable facing across the site.

The proposal is to site a detached 3-bed bungalow on the site with a driveway from Radelan Grove. It would be generally in line with the row of houses (Nos.5-8) at the head of the cul-de-sac with the front elevation facing the gable of No.4. The bungalow would have a footprint 13m by 7.5m with an additional bay on the south/rear elevation and a ridge height of 5.5m (3.1m to eaves). It would have a brick plinth and be finished in a render with a tiled roof. The new driveway would extend from Radelan Grove to a parking space in front of the dwelling.

Relevant Planning History

01007/E - Residential Development - Enquiry completed 24/02/2012. 59762 - Erection of Dwelling on land between 8-9 Radelan Grove - Refused 05/05/2016 59763 - Erection of detached bungalow - Refused 05/05/2016

Publicity

The following 38 neighbours were notified by letters dated 01/02/2017 and 21/06/2017. 1-12 Radelan Grove, 2-8 (Even) Morley Road, 1-23(odd) Milton Road, 1-4 Chaucer Avenue, 75 and 77 Kilburn Road.

Five objections received from the occupiers of Nos.1,4, 5, 9 and 10 Radelan Grove. Objections are summarised:

- Parking and state that parking problems on the cul-de-sac would be made worse by the development.
- The construction and construction vehicles would cause parking problems, noise, dust and pollution.

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

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

EN10/1	Derelict Land
EN5/1	New Development and Flood Risk
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
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.

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

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

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

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

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

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

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

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

Visual Amenity - With an area measuring 460sqm, the plot is relatively large and considered capable of accommodating a single dwelling without appearing to constitute overdevelopment or be out of character within the locality.

In terms of siting and massing, the new dwelling would be centrally positioned on the plot

and generally in line with other properties along the head of Radelan Grove. With an eaves height 3m and a maximum ridge height of 6m, the proposed dwelling, with a pitched roof, whilst being a bungalow, would not be out of character with the surrounding houses. The siting of the dwelling is such that there is insufficient space for on site vehicular turning and this issue is addressed in the 'Parking and Access' section below.

The design and appearance of the proposed house is quite traditional with a brick and render finish and tiled roofs. Whilst the houses in the area are red brick, the rendered finish would be acceptable.

Residential Amenity - The proposed dwelling would be side-on to the neighbour's house at No.5 Radelan Grove. The gable of this property has no habitable room windows and the new build would set off the shared side boundary with No.5 and extend back approx 4m beyond the rear elevation.

There are windows on the side of No.4 Radelan Grove but these are either none habitable rooms or are secondary windows that cannot be afforded the same weight as primary habitable room windows.

The houses to the east, fronting Chaucer Avenue are situated across private rear gardens and boundary walls at a distance of approximately 15m. To the south, the houses on Milton Road are approx 16.5m away. There are no serious overlooking issues and the separation distances are considered acceptable and should protect the amenity of future residents and surrounding neighbours.

In terms of residential amenity, the proposal would comply with UDP Policies H2/1 and H2/2 and detailed standards set out in the Council's adopted guidance within SPD 6 Extensions and Alterations.

Parking and Access - The proposed bungalow would have a driveway coming off Radelan Grove that terminates with parking and turning for two cars in front of the house.

The proposal also includes alterations to the general parking along Radelan Grove that facilitates additional parking spaces created on the existing grassed verges on either side.

This access and parking arrangement is considered to be acceptable and comply with UDP Policies H2/2 The Layout of New Residential Development, HT2/4 Parking and New Development and SPD11 relating to parking and new development.

It is noted that the proposal for a new dwelling on the plot between Nos.8 and 9 entails the rearrangement of the existing parking along the road and creation of new parking spaces within the verges on either side of the cul-de-sac. This application (61085) is on this committee agenda.

Waste collection - It would be normal practice to keep bins within the garden area and bring them to the roadside on collection day. This arrangement is considered satisfactory and complies with UDP Policy H2/2 The Layout of New Residential Development.

Ecology - There are no significant trees on site and the proposal does not impact on wildlife. The landscaping scheme that would follow the new build would likely have a positive impact on ecology.

Land Contamination - Environmental Health require a Risk Assessment and prior to commencement of works and an appropriate condition would be attached to any approval.

Objectors - The issues with regard to parking are understandable as there are clearly existing parking problems on the road. The concerns of the residents are addressed in the above report and the situation should improve.

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.
- This decision relates to drawings numbered 001.1, 003.2 and parking plans 1557/SP/01, 02 and 03 the development shall not be carried out except in accordance with the drawings hereby approved.
 Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details/Samples of the materials to be used in the external elevations, boundaries and areas of hardstanding together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
 Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 Townscape and Built Design.
- 4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 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.
- 5. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

6. Following the provisions of Condition 5 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to

the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

- 7. No development shall commence unless and until surface and foul water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. 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 shall be implemented prior to first occupation and thereafter maintained.
 - <u>Reason</u>. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 Water Pollution and EN7/5 Waste Water Management and Section 10 the NPPF.
- 8. No development shall commence unless and until the footway crossings and 5m minimum long driveways to No.'s 4 & 6 Radelan Grove indicated on approved plan reference 1557/01 Revision A have been implemented to the written satisfaction of the Local Planning Authority.
 - <u>Reason</u>: To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway.
- 9. 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
 - 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;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site of operatives' and construction vehicles together with storage on site of construction materials.

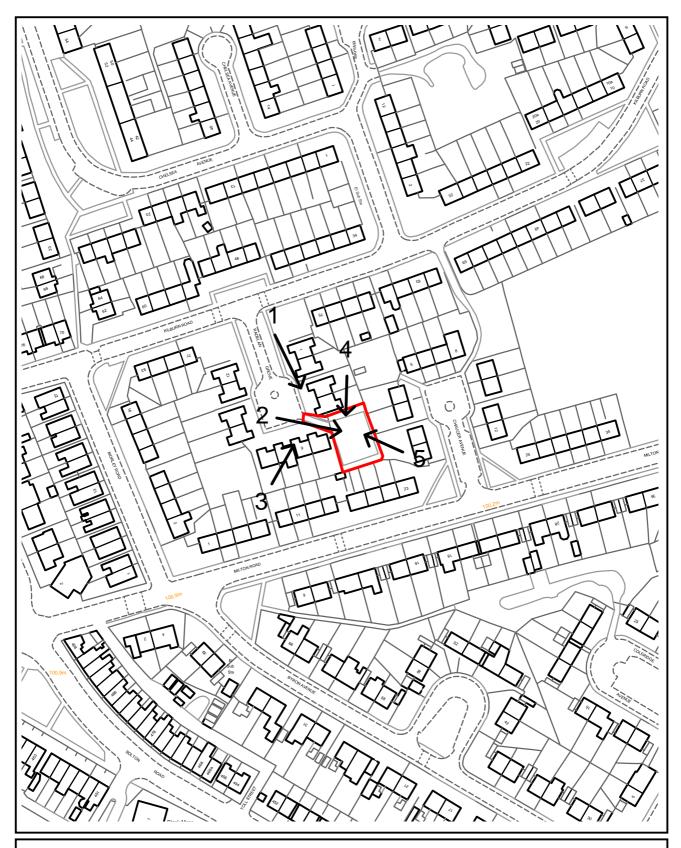
The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles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

<u>Reason</u>. 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.

- 10. The turning facilities for the new dwelling indicated on approved plan reference 1557/01 Revision A shall be provided before the dwellings are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
 <u>Reason</u>. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to UDP Policies HT2/4 Car Parking and New Development and H2/2 The Layout of New Residential Development.
- 11. The car parking for the new dwelling indicated on approved plan reference 1557/01 Revision A shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times. <u>Reason</u>. To ensure adequate off street car parking provision in the interests of road safety pursuant to UDP Policies HT2/4 Car Parking and New Development and H2/2 The Layout of New Residential Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61086

ADDRESS: Land between 4 & 5 Radelan Grove

Radcliffe

Planning, Environmental and Regulatory Services

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61086

Photo 1



Photo 2



Photo 3

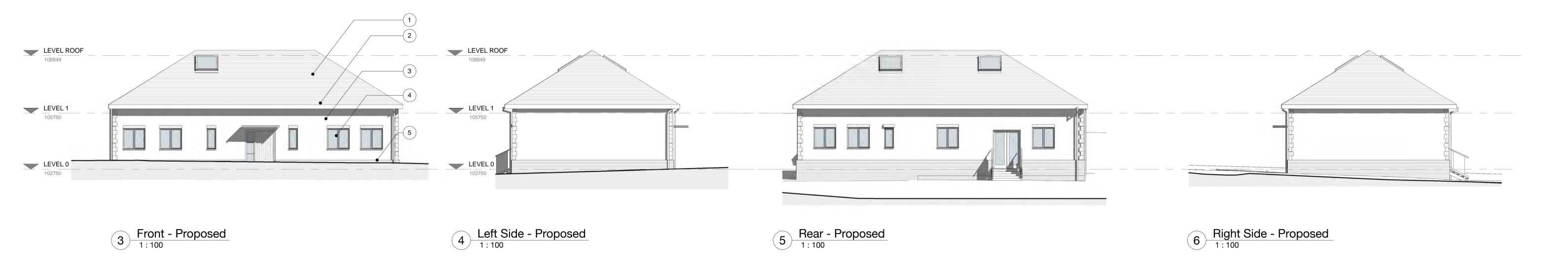


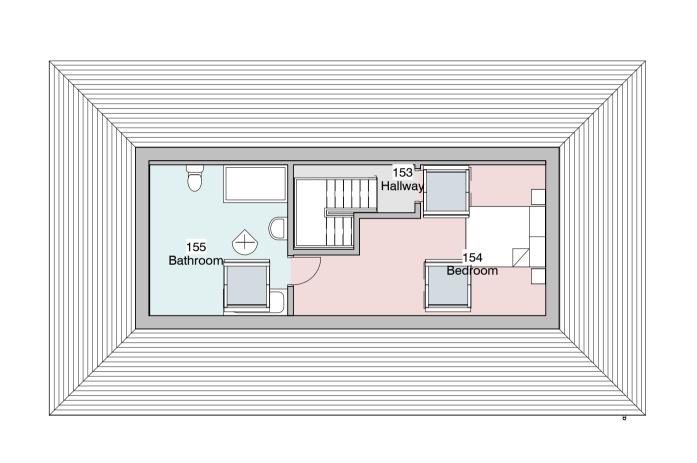
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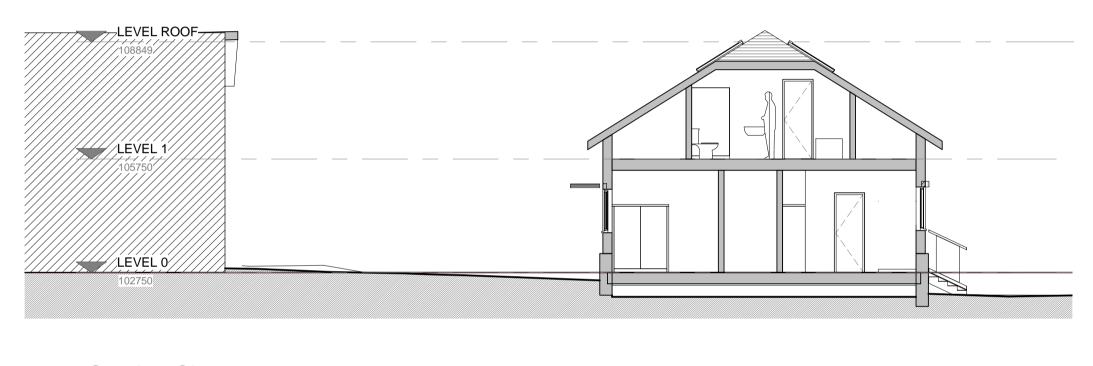
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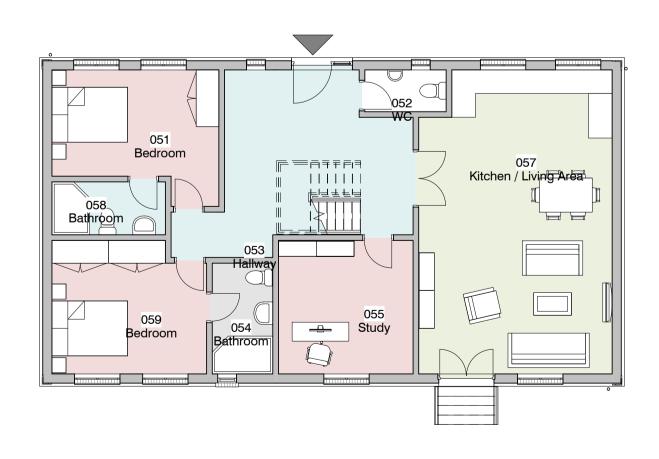


2 Level 1 - GA Proposed



9 Section Site
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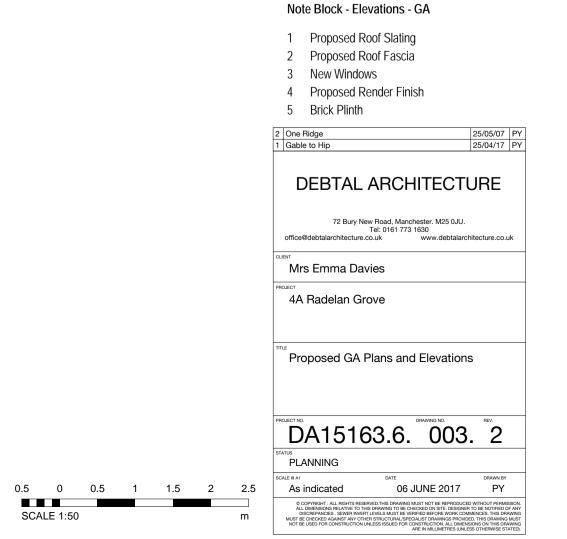


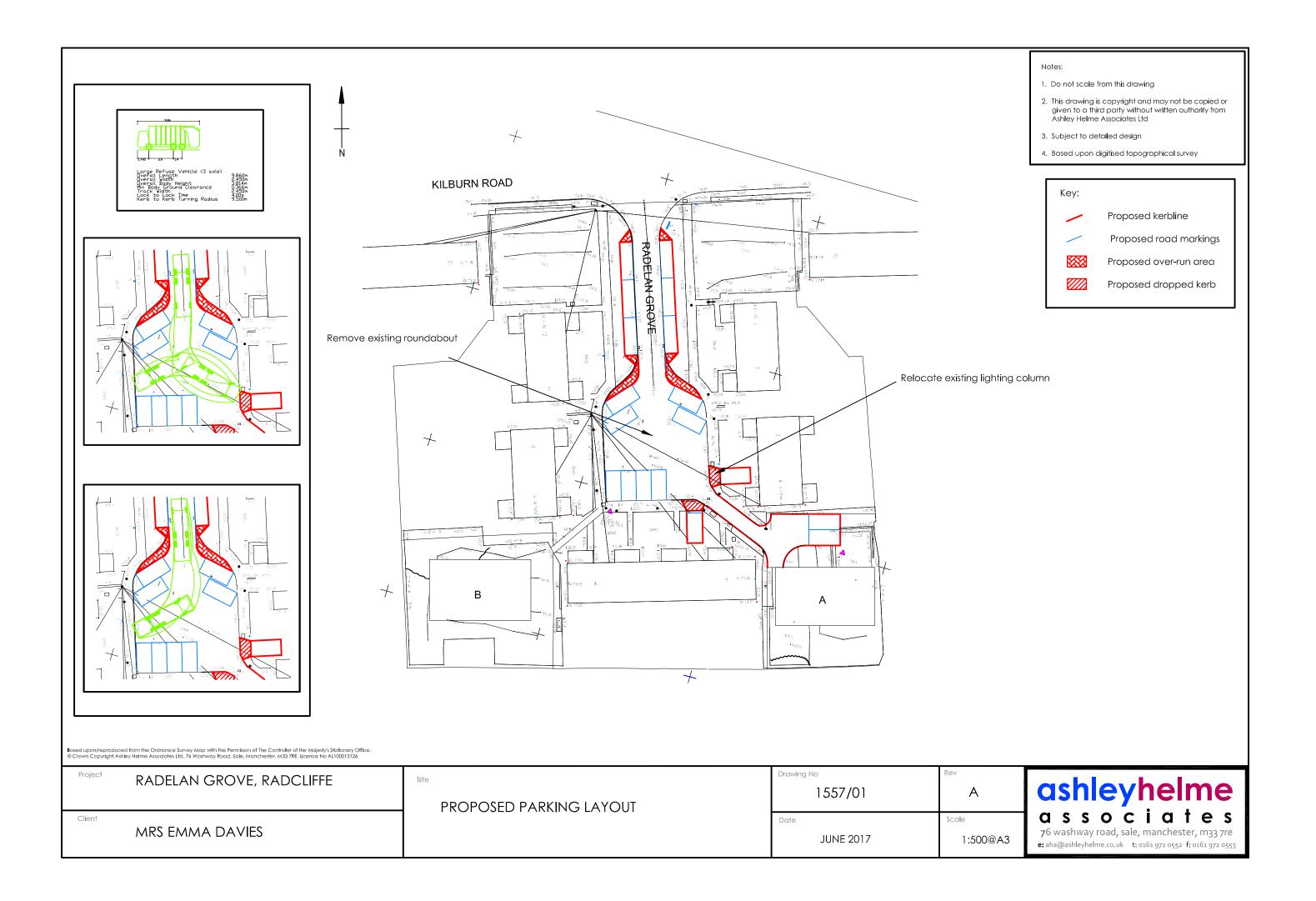


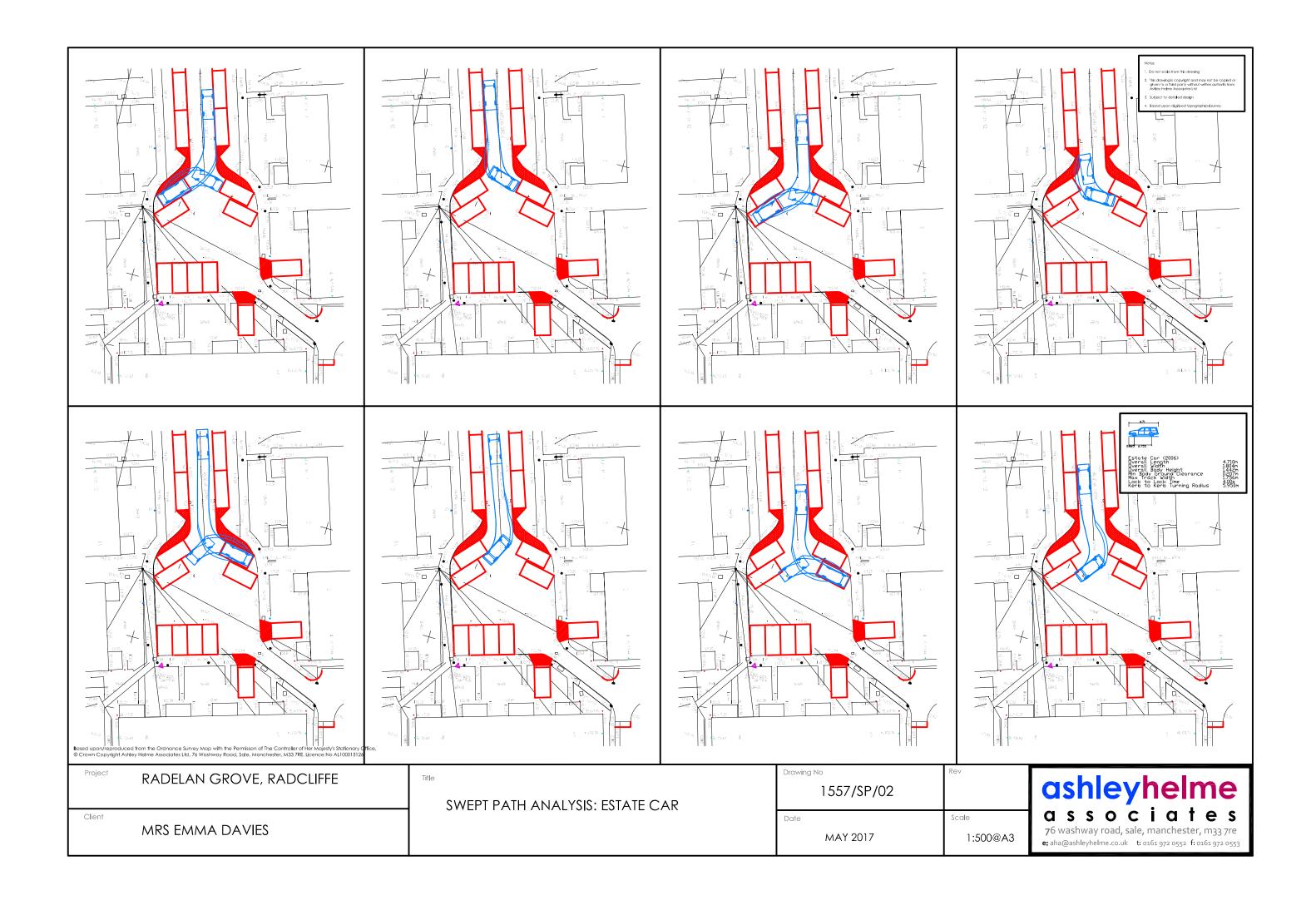
1 Level 0 - GA Proposed

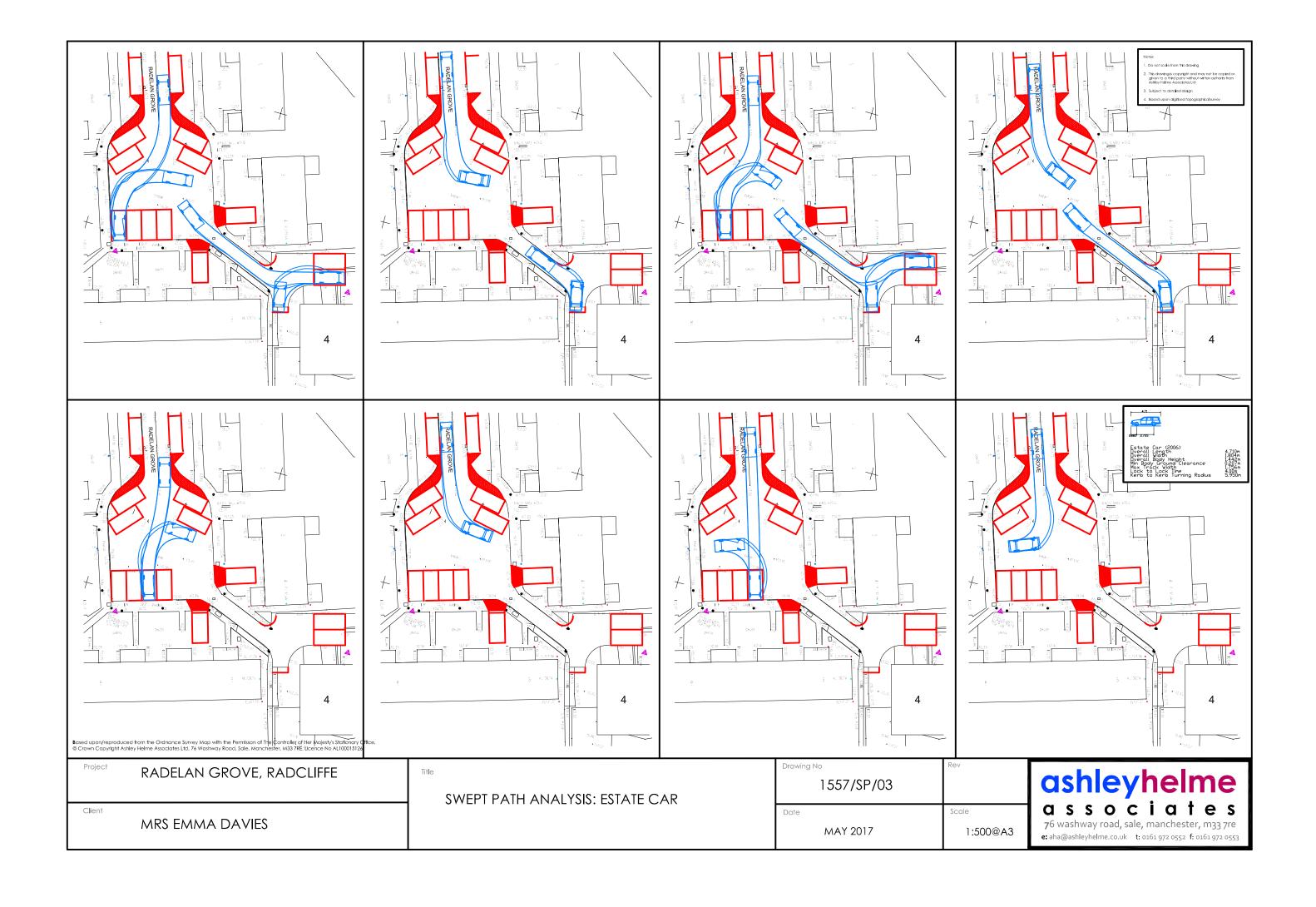


7 3D Axo - Proposed









Ward: North Manor Item 04

Applicant: Silverlane Developments Ltd

Location: Bleaklow Mill, Bolton Road, Tottington, Bury, BL8 4LL

Proposal: Demolition of the existing vacant industrial building and the erection of 24 dwellings

(20 three bed and 4 four bed) with public open space, parking and associated access

Application Ref: 61117/Full **Target Date:** 30/05/2017

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a S106 Agreement for recreation provision pursuant to Unitary Development Plan Policy RT2/2 and SPD1, and for the loss of employment land compensation pursuant to EC2/2 - Employment Land and Premises Outside the Employment Generating Areas of the adopted Unitary Development Plan and SPD14. If the agreement is not signed and completed within a reasonable timeframe, authority be delegated to the Development Manager to determine the application.

The application has been advertised as a Departure from the Bury Unitary Development Plan.

Should Committee be minded to approve the application, the Council must notify the Secretary of State to give an opportunity to consider using call in powers. If the Secretary of State does not do so after 21 days, the Council may then grant the permission.

A site visit has been requested by the Development Manager prior to the Planning Committee meeting.

Description

The application site comprises 0.62 hectares which currently accommodates an industrial building, now vacant, which was previously used as a dye works. The site is located in a semi rural village setting designated as Green Belt, Special Landscape Area and West Pennine Moors as defined under the Bury UDP, which also washes over the surrounding area.

Directly to the east and south of the site boundary is open countryside and opposite the mill across the main road which runs through the village, is a row of stone built terrace houses. To the south east is a 3 storey apartment building, known as Hawkshaw Lodge, which was formally a mill annex to the dye works and since converted into 24 residential units. This development shares its access with the application site which leads off Bolton Road and runs between the 2 sites.

The site itself comprises a single story brick built industrial unit which extends across the length of the site fronting Bolton Road, set back from a brick boundary wall. Due to the topography of the land, which slopes down from Bolton Road, the industrial building is set at a lower level than the road by approximately 2m. The site continues to fall gradually towards the southern boundary.

The application seeks a full planning permission for the demolition of the industrial unit and redevelopment of the site to provide No. 24 dwellings with associated parking, access and landscaping.

The scheme would comprise the following:

- 24 dwellings 22 No. x 3 bed, 2 No. x 4 bed, 2.5 storey high.
- 75 parking spaces in total (3 spaces per property including garages) and 3 visitor spaces
- creation of access road into the site
- landscaping and open space to the south of the built development.

There would be a difference in levels of approximately 3m from the footway at Bolton Road (front of the site), to the properties at the rear. The development would gradually 'step down' from north to south to acknowledge the sloping topography of the site.

Units 1-13 would front Bolton Road with the 'middle' units 5-10 accessible at the front via gated entrances off the public footpath. The frontage of the site would be bounded by decorative metal railings on top of a dwarf stone wall.

Units 14 -24 would occupy the middle and rear of the site, set out in a mews type development with shared courtyard parking centrally located. Apart from units 14 and 15, which would front the site access, the remainder of the dwellings (units 16-24) would be orientated to face the internal area of the site.

Each dwelling would have a garden area and bin store provision and curtilages would be bounded by a mix of timber fencing and railings.

The houses would be 2 storey in height with rooms in the roofspace and to facilitate integral parking at ground floor. The dwellings would be of 'cottage type' style and design, incorporating small boxed dormer style windows to the fronts and rear with more contemporary balcony additions. For the purposes of this report, the houses will be described and referred to as 2.5 storey.

Elevations would comprise stone with artstone detailing, rendered infill areas, slate effect roof tiles and double glazed black upvc windows. Window openings and fenestration patterns would be relatively simple and modest along the Bolton Road frontage, with more contemporary detailing added to the dwellings internally located within the site.

The development would utilise the existing private access road from Bolton Road which serves the site, and which is also the access to the Hawkshaw Lodge apartments. A new access into the site would be created from this road leading to the dwellings and shared parking areas. Hardstandings within the site would be a mix of textured flagged areas to delineate particular areas of the development.

The proposals include the provision of an informal open space to the south of the site, with a footpath shown leading out of the site to the open land beyond.

Relevant Planning History

01579/E - Demolition of B2/B8 building and replace with residential development - Enquiry completed 22/12/2014

01835/E - Proposed redevelopment of brownfield site into 23 residential dwellings - Enquiry completed 20/12/2016

46550 - Part demolition and conversion of mill into 24 residential units - Approve with Conditions 23/11/2006

51311 - 2 No. 2 Storey portacabins for 2 year period (retrospective) (resubmission); alterations to mill to include partial demolition of existing structure and creation of additional 32 m2 floor space - Approve with Conditions 15/07/2009

53568 - Non-material amendment following grant of planning permission 46550 to change roofing type - Approve 09/02/2011

Publicity

59 letters sent on 28/2/1017 to properties on Bolton Road, Apartments of Hawkshaw Lodge, Bramley Fold farm, Brandlesholme Road, Sunny Top, Croichly Fold, Crown Mews. A full list is available to view on the public file.

31 objections received from Hawkshaw Lodge, Hawkshaw Lane, Brandlesholme Road, Bolton Road, Croichly Fold, which raise the following issues:

- Concerned about the additional vehicle movements that will result. Therefore request that the 30 mph speed limit is extended eastwards to approximately the junction of Spenleach lane with Bolton Road. The visibility lines, given the dips and double bends in the roadway, at the existing residential entrance on to Bolton Road are poor both looking east and west. Traffic travelling west from Holcombe Brook along Bolton Road at 40 mph (or more) presents a safety hazard to vehicles exiting the proposed development. Reducing the limit to 30mph will create a safer environment for all residents living in this area
- Guessing that the boundaries would be the same and that there would be no encroachment into the farmland at the side:
- Whilst not against a change of use from B2 Industrial to Residential, the proposals contravene the NPPF guidance and there are too many houses and the height/volume of these would breach current building.
- The volume of traffic generated as a result of this development would cause significant access/egress problems to the site and for the current residents of Hawkshaw Lodge. A major road traffic accident risk with egress onto Bolton Rd as a result.
- The access road to Hawkshaw Lodge is unadopted and the freehold is held by Hawkshaw Lodge Management Co which allows right of easement but the plans refer to material changes to this road which is surely in breach of the easement rights. Seeking private legal confirmation.
- Fewer houses and alternate access to site is recommended.
- Concern with the density of houses and 72 parking spaces off one access from a busy road:
- Hawkshaw Lodge has no visitor spaces and relies on the access road for parking;
 Parking was restricted for the lodge and residents and visitors who rely on the service/access road to park;
- Impact on the visual outlook from the apartments;
- Hawkshaw Lodge access road provides essential additional parking for residents, carers, visitors, deliveries and services and the inclusion of the road in the developer's plans would prove detrimental to residents and create a dangerous conflict of traffic by forcing existing users to park on Bolton Road;
- The dwellings should be restricted to two storey in keeping with the local cottages and terraced houses;
- Three storey houses would be dominating and over intensive in appearance due to the height and number of dwellings. The mill apartments may be three levels in height but that is not in keeping with the mill itself;
- Cambrian informed residents that there would not be permission to build at a height that exceeded the existing building;
- No objection to the idea of redeveloping this site into housing, providing it is in keeping and sympathetic to the Hawkshaw environment, which this proposal is not.
- The site is very visible in the Green Belt and Special Landscape Area of the West Pennine Moors and needs to be developed in a sustainable way. The development would not be shielded by existing housing which is why good design is crucial;
- The lands is classed as employment generating and the Council should be encouraging more work/life living;
- There are a number of issues the applicant needs to address which includes improving the design of the hoses, improved flood protection, traffic and contaminated land remediation;
- Loss of visual amenity too many units which are too high, out of keeping and exceed the footprint of the original building;

- Increase in potential accidents;
- The impact on traffic flow should not be underestimated or treated lightly and road safety should not be compromised;
- Undesirable precedent and could lead to an unplanned expansion of the village;
- Proposed footprint would be far greater than we were advised by your department at the time of enquires in connection with the purchase of our dwelling at Hawkshaw Lodge more than 5 years ago;
- Negative impact of the increased storm water outfall;
- The right of access over the existing entrance to Hawkshaw Lodge development is not capable of amendment, widening or re-siting;
- The potential increase in vehicle use is considered by the Hawkshaw Management Company as excessive use interfering with the scope of the rights of access available;
- Applicant has not considered the impact on Hawkshaw Lodge;
- Design of the houses is poor and materials include use of buff brick which is out of place in a Millstone grit and Accrington brick built village;
- The red brick wall of Hawkshaw Lodge was retained for heritage purposes houses of stone would negate the aim of retaining a link with the sites' industrial past;
- Dormers onto Bolton Road introduces a feature found nowhere in Hawkshaw;
- In terms of sustainability there would be no direct benefit to the community;
- There is no mention of a s106 agreement to compensate for the loss of employment
- The developer should be encouraged to increase the number of dwellings to trigger the Affordable Housing element;
- There should be a condition requiring remediation works are carried out;
- Surface water run off would cause flooding issues;
- An alternative entrance to the building site for demolition, construction and eventual
 access should be sited at the eastern end of the development and the existing entrance
 for Hawkshaw Lodge residents only;
- There is no delineation of the southern limit of the development and a major security concern:
- Health and safety risk to children playing in the area from additional traffic to the site;
- Headlight pollution to our apartment from additional cars to the site:
- Not against the redevelopment of the site, but concerned about impact on traffic in the village.

Hawkshaw Lodge Management Limited -

- Openness of Green Belt The applicant considers the proposals constitute appropriate
 development their justification is flawed in that they have failed to apply the test of
 openness correctly. The test in Para 89 is that development should not have a greater
 impact on openness than the existing buildings the assessment should therefore NOT
 include the previously demolished buildings;
- Compared to the existing buildings (not floor area) in considering openness, given the number of dwellings proposed, the scale of development, height and massing of the 3 storey dwellings, it is difficult to see how any reasonable person could conclude that there was no impact on the openness of the Green Belt;
- Too many houses and the scale and proximity will affect a number residents at Hawkshaw Lodge in relation to loss of privacy and overlooking;
- Hawkshaw village has limited amenities and could not support the proposed development;
- Lack of detail in the plans that describe access and the use of the "open space and public park";
- No indication of the removal/re-siting of the existing sub station.

LPA meeting with the Hawkshaw Lodge Management Group 27/4/17:

- Specific references made to the following sections of the NPPF Section 7 Requiring Good Design, Section 9 - protecting Green belt Land, Section 11 - Conserving and enhancing the natural environment and Decision Taking (paras 186-207);
- The applicant has sought the withdraw of all our objections in exchange for some

- concessions on the design which we could not agree to:
- Want to see a determination by the LPA after due process has been applied.

Councillor Gunther:

Do not feel the design and contribution of these proposed 24 dwellings are in sympathy with the surrounding properties and that Bolton Road is a very busy road and traffic from these properties would add very considerably to the volume of traffic

One comment received from Apartment 18, Hawkshaw Lodge:

- Understand this is a perfect location to bring back into life, and hope young families are able to benefit:
- There are some concerns regarding the period of construction of the development, which could be incorporated into conditions of an approval, including construction operation times, areas for contractors/deliveries to safely park without disruption to local residents, minimisation of mud, dust etc, repair of any damage caused to the highway during the construction period.

Revised plans received to show amendments which had been made to the site layout, street scene/site section elevations, clarification of the proposed materials and supporting statement for very Special Circumstances. Local residents and those previously expressed an interest were re-consulted on 21/6/17 and invited to submit comments.

14 Hawkshaw Lodge - Comments received as follows:

- Despite the amendments objections remain especially with regard to appearance and design of the houses on such a visible and important gateway site;
- Still have major concerns with the scale of the development proposed;
- Noted that the applicant has now acknowledged that the development is inapprorpiate
 and have made an attempt to make a case for Very Special Circumstances to justify the
 proposal. We consider that the justification is completely insufficient for the Council to
 determine that the 'inappropriate development' is acceptable;
- Request that the Viability Assessment is made available for scrutiny. it is absolutely
 essential that this is carefully considered by suitably qualified surveyor to justify the
 scale of development. A suitable external advisor should be appointed, the cost of
 which should be met by the applicant;
- In relation to housing land supply, Green Belt boundaries and the Council's preparation of the local plan, to not promote Green belt land through the plan when there is the opportunity to do so is inappropriate the release of Green belt land in this instance we believe would be premature given the local plan is currently in preparation;
- Whilst the site is part brownfield, the proposed massing, scale and layout of the scheme
 would have a significantly larger footprint and mass than the existing building and would
 clearly have a detrimental impact on the openness of the Green belt. It is difficult to
 see any circumstances where the increase in the scale of the development cold be
 justified as Very Special Circumstances (VSC). In accordance with para 88 of the
 NPPF, LPA's should ensure that substantial weight is given to the harm to Green belt;
- The justification provided by the Applicant is weak and do not consider there to be any
 case that the circumstances outlined are sufficient to outweigh the harm to the Green
 Belt in accordance with Para 88 of the NPPF;
- VSC are a long way from being justified and the development should be refused.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

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

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

Fire Protection Dept Bury Fire Station (Part B) - No response received.

Greater Manchester Police - designforsecurity - No objection. Recommend the

security measures detailed in the Crime Impact Statement are implemented. **United Utilities (Water and waste)** - No objection subject to conditions.

Unitary Development Plan and Policies

NDDE	National Diaming Policy Framework
NPPF	National Planning Policy Framework
EC2/2	Employment Land and Premises
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
OL7/2	West Pennine Moors
RT2/2	Recreation Provision in New Housing Development
RT3/3	Access to the Countryside
HT2/4	Car Parking and New Development
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions

Design and Layout of New Development in Bury

Issues and Analysis

Parking Standards in Bury

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

SPD11

SPD16

Loss of employment - Given that the site is currently in employment use and that the proposal would involve the loss of this use, it needs to be considered against UDP Policy EC2/2 and its accompanying SPD14.

Under Policy EC2/2, the Council will seek to retain the employment use of such sites unless it can be clearly demonstrated that the land and premises are no longer suited, in land use terms, to continued employment use. In support of UDP Policy EC2/2, the Council has also developed SPD14 which again, in basic terms, seeks to retain sites that are suitable in land use terms although it does allow for a greater degree of flexibility than Policy EC2/2 insofar as it gives consideration as to whether there is any realistic prospect of the site being reused for employment as well as assessing the suitability of the site from a purely land use perspective.

The Bury Employment Land Review included a comprehensive assessment of all employment sites within the Borough and the site is considered to be suitable, in land use terms, for continued employment use.

SPD14 effectively says that if an applicant is able to demonstrate that an employment site

that is suitable in land use terms has no realistic prospect of being used for that purpose (as a result of a lack of market demand and commercial viability), then alternative, higher value uses may be considered subject to a one-off payment to off-set the loss of the employment use.

In support of their application, the applicant has submitted a Planning Statement and an Employment Land Report to attempt to justify the loss of the employment site. The report seeks to demonstrate that the retention of the site in employment use would not be supported by the market and that it is not commercially viable to do so. Whilst there are some concerns with regards to the robustness of the applicant's marketing and viability, it is accepted that the site has been marketed for in excess of 12 months with limited interest and that it is unlikely that the redevelopment of the site for new employment accommodation would be viable. In addition, the size of the site would mean that it could not realistically support a mixed use scheme involving an element of employment use.

Consequently, in the context of SPD14, the loss of the employment use to a higher value use (i.e. housing) may be acceptable subject to the applicant making a one-off financial contribution to off-set the loss of the employment use of the site. Such contributions are then used to help bring forward employment opportunities on sites elsewhere.

Contributions are calculated on the basis of average employment land values in Bury (currently £390,000 per hectare). For a site of this size, the amount payable would normally be £249,000. However, in agreeing a level of contribution, consideration needs to be given to the potential impact that the contribution may have on the viability of the scheme.

The applicant has submitted a Viability Appraisal in respect of the proposed residential development. Whilst some elements of the Viability Appraisal are questionable, for example, costings, it includes an appraisal of the scheme that shows that the maximum level of employment contribution that can be paid before the development becomes unviable is £20,000.

Taking into account the prospects of the site being reused for employment at the present time, the need to provide more new housing and the marginal viability of the proposal, it is considered that in this instance a contribution of £20,000 would be sufficient to overcome the requirements of UDP Policy EC2/2 and SPD14.

Green Belt - Under Paragraph 89 of the NPPF, the construction of new buildings is inappropriate development in the Green Belt and lists exceptions which include the complete redevelopment of previously developed sites, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Also included is limited infilling in villages, and the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Paragraph 90 states that other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt. This list includes the re-use of buildings provided that the buildings are of permanent and substantial construction.

The application concerns the demolition of a mill building and the construction of new dwellings. Whilst the mill is considered to be structurally suitable for an industrial use it is not viewed to be capable of conversion to residential use as the building height is too low, it is long and narrow and would be lacking in natural light. Increasing the building height to allow conversion would not generate the necessary number of dwellings to make the site viable or deliverable, would not meet the applicant's requirements, would not meet the need for high quality family housing and would conflict with the objectives desired by the Council to create a courtyard layout with an active frontage on Bolton Road.

In terms of meeting Paragraph 89, the mill would not be replaced with development of the

same use and the development proposed would be materially larger in volume than the existing. The proposal would also not constitute limited infilling in a village, as whilst Hawkshaw is a named settlement under Policy OL1/3 of the UDP, it is considered the new buildings to be constructed would not be limited in scale, as outlined further below.

This leaves the exception relating to complete redevelopment of previously developed sites. It is viewed that whilst the scheme would be potentially appropriate in that it would involve the redevelopment of brownfield land on the same footprint of the existing buildings and hardstanding, it would fail the test of not having a greater impact on openness than the existing development due to a greater height, volume and massing, as set out further below.

The proposal is therefore considered to represent inappropriate development in the Green Belt. Paragraph 87 views inappropriate development to be harmful to the Green Belt and that it should not be approved except in very special circumstances. Paragraph 88 states that very special circumstances 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.

It is viewed that additional harm would be caused to the character and openness of the Green Belt by the increased height, volume and massing of the proposed development. The dwellings are 2.5 storeys high across the centre of the site where the current mill sits, and are up to 33% higher than the ridge of the mill on units 14 and 15. The units fronting Bolton Road are around 40% higher than the ridge of the mill and are 2.5 storeys high, although it is noted that due to topography and the split level nature of the development, these are 2 storeys high when viewed from Bolton Road and are 0.7m higher than the existing mill when viewed as part of the street scene. Units to the south of the site are only marginally higher than the ridge due to the slope of the site. The volume of the proposed is 9,440 square metres which is 10% greater than that of the existing mill at 8,550 square metres. It is considered that the collective massing of the properties when viewed from Bolton Road when compared with the existing mill would cause additional impact on the openness and character of the Green Belt.

The applicant has put forward the following case for Very Special Circumstances:

- Would deliver market housing which would contribute towards the housing land supply in the Borough and the objectives of boosting housing supply in the NPPF;
- The mill is in a poor state of repair causing blight to the area, and is not suitable for residential conversion. Its redevelopment would address the fifth purpose of Green Belt under Paragraph 80 of assisting in urban regeneration by encouraging the recycling of derelict and other urban land, and, similarly, would enhance the beneficial use of Green Belt under Paragraph 81 of the NPPF by improving damaged and derelict land;
- Harm to the character and openness of the Green Belt would be reduced by efforts to reduce densities across the site, to utilise the sloping topography and to organise the layout to ensure uninterrupted views can be enjoyed from Bolton Road through the site to the countryside, thereby enhancing the beneficial use of the Green Belt under Paragraph 81 of the NPPF by providing opportunities for visual amenity and to retain and enhance landscapes.
- The public open space to the south of the site would include a footpath which links the development to the wider countryside, thereby enhancing the beneficial use of the Green Belt under Paragraph 81 of the NPPF by providing opportunities for outdoor sport and recreation and opportunities to provide access.

It is judged that the above reasons when taken together would constitute a case for very special circumstances which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and the additional harm caused to the character and openness of the Green Belt by the increased height, volume and massing. Any increases in volume would be offset when viewed against the larger adjacent Hawkshaw Lodge development and it is viewed that the development is a sensitive response to the challenges of the site as a previously-developed site in an attractive countryside setting.

Special Landscape Area

The site lies within a Special Landscape Area. Policy EN9/1 states that any development which is permitted in these areas would be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact and that high standards of design, siting and landscaping will be expected.

It is viewed that the proposed design and layout of the development is sympathetic to its location within its wider countryside setting and these include measures to provide an active frontage to Bolton Road, to use topography effectively and to open up views through the site to the river valley to the south.

West Pennine Moors

The site lies within the West Pennine Moors designation. Policy OL7/2 states that the Council will control development and manage recreational activity and public access, so as to reduce any possible detrimental effects these may have on the important character of the area. In terms of the listed factors for consideration, it is judged that the proposal will have an effect on settlements and landscape character. However, as noted above, the design and layout would respond sensitively to its sloping village edge location whereby the units are both arranged along Bolton Road addressing the street in line with the traditional pattern of development in Hawkshaw and would also be stepped down through the site to take account of the contours of the land and to afford vistas through to the river valley beyond.

Recreation

There is an area identified to the south of the site, the function of which it is outlined as 'pedestrian and maintenance access to open spaces/public parks'. On-site recreational provision is not required under SPD1 for developments of this size and instead the guidance requires an off-site contribution, which has been agreed below.

The land to the south of the site will be provided as accessible open land for recreational use and managed and is maintained by the developer/landowner which has been agreed by the applicant. This would be secured by condition and will include the requirement to submit a management plan to ensure the open space was maintained in the future.

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

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

UDP Policy H1/2 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.

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 on a piece of brownfield land which has a historical land use as industrial/employment development together with associated buildings and servicing areas. It is a site which is contained by the boundary to the residential development Hawkshaw Lodge to the south west, Bolton Road to the north, with natural boundaries to the south east. There is established residential development nearby, with dwellings directly opposite. Hawkshaw village extends beyond the site to the west. The proposed development is considered therefore, not to conflict with the local environment in terms of character of the area.

The NPPF emphasis the need for Local Planning Authorities to boost the supply of housing to meet local needs and the proposed development would assist in contributing to the shortfall of housing in the Borough to provide family accommodation.

As such, it is considered that the principle of housing would be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1, H2/2 and H4/1. **Layout** - The scheme has undergone a number of design processes which have evolved into the proposed development now presented in this application. The physical topography and land form of the site itself and its location in the Green Belt has largely dictated the layout of the development, which is also constrained by the position of the existing access into the site and the proximity of the converted mill building which is located to the south west of the site.

The requirement set out by the applicant to provide a fixed number of houses to make the scheme viable has also been a factor in the layout of the development.

The site fronts onto Bolton Road and has challenging topography, dropping in level by approximately 3m from the front to the rear of the site. The approach to address the issue of levels has resulted in a stepped arrangement, gradually reducing in height from north to south in response the sloping topography. This solution would also allow for the integration of the scheme within the immediate and surrounding environment in terms of lessening impact on the openness of the Green Belt.

The development would comprise 24 units in total. Units 1-13 would front onto Bolton Road. Units 1-4 would be set back from the main road to facilitate parking and access to garages, and separated by a gap of approximately 9m between units 5-10 which would be set directly behind the back edge of the pavement. From the side elevation of unit 10, there would be a distance of approximately 13m to units 11-13 which would be located along the frontage to the west of the site, in a similarly set back position as units 1-4.

Decorative metal railings would sit on top of a dwarf wall which would bound the front of the site, with gated openings to units 6-9 off Bolton Road for pedestrian access to the front entrances of these dwellings.

By setting these dwellings along the frontage of the site in a terrace/mews type arrangement, it is considered the layout would reflect the character and integrity of the established linear pattern of dwellings which characterises the village of Hawkshaw, and would be an honest approach to incorporating the development within the area. In addition, the gaps between the units on the front would allow a clear view through the site to the countryside beyond, which would contribute to maintaining open aspects for Green Belt purposes.

Towards the centre and south of the site, the layout would change to that of a courtyard arrangement, with units 14-19 and 20-24 running in a linear formation from north to south, fronting a court yard and shared parking. The majority of the units would be internally facing, with garden areas located to the rear backing onto the site boundaries, units 14 and

15 only being outward facing. In consideration of the proposed internal layout of the site, the development would maximise the area of the land available, but would be of a scale and density which would sit comfortably within a village setting, and be of a character similar to other residential developments of this type and this location. It is considered the layout would also offer a 'sense of space' with the open style courtyard and intermittent gaps between dwellings which would offer views through the site.

In consideration of the scale and density of the proposed layout, and to maintain openness within this setting, it is considered that a condition to remove permitted development rights would be reasonable and appropriate in these circumstances.

The scheme would provide 75 parking space in total, 3 spaces per property (including an integral garage) and 3 visitor spaces. The parking spaces would be located either directly adjacent to the dwellings, close by or within the central courtyard, and specifically allocated to each dwelling. The dwellings would have private garden areas, separated by timber fencing, and for each property a bin store would be provided, enclosed within a timber tongue and groove unit.

To the south, the footprint of built development would only extend as far as the building line of the adjacent mill conversion, Hawkshaw Lodge, and not encroach any further into the Green Belt. It is proposed to keep this land as open space which would facilitate access to the public to footpaths and the countryside beyond. It would be the responsibility of the applicant or landowner to maintain this area of the site.

A gabion wall is proposed to the rear of plots 16 to 19 and 20 to 24, and although details have not been provided at this stage, in principle the appearance and positioning of the boundary treatment are considered to be acceptable, with details of its height and appearance to be conditioned. Similarly, it is proposed to erect a retaining wall along the front boundary of the site. At this stage, the specification and detailing of this wall is also unknown, as further investigative works are required on site. There is no objection from the Highway's Section in principle and subject to compliance with a recommended condition.

There is one vehicular access into the site and this is shared with the residents of Hawkshaw Lodge. The access road is owned by the residents of Hawkshaw Lodge, but there is a right of access over this road for the landowner of the Bleaklow Mill site. The right of access to use this road would continue for future operators/owners of the proposed site. The correct certification of ownership has been signed and notice served to appropriate landowners and this is satisfactory for the purposes of this application.

A new access into the site would be formed which would lead to the centrally located courtyard area to facilitate parking for the houses in the middle and to the south of the site. There would be 2 access points created off the new internal road to serve the properties to the north fronting Bolton Road. Surfacing would comprise a mix of block paving to define different areas of the site.

The development would provide 75 parking spaces for the 24 dwellings, 3 spaces per property, one of which would be an integral garage and 2 others, provided either directly adjacent to or close to each dwelling. The car parking and hardstanding areas would be located internally within the site, with the remaining hardstanding areas kept to a minimum. Pavement areas would also be provided to facilitate safe pedestrian access.

The development has sought to maximise the amount of land available without compromise to the amenity of future occupiers or those living nearby, whilst seeking to keep impact on the Green Belt to a minimum to provide a layout which would sit sensitively within this location. It is considered that the proposed layout would successfully achieve this. Due consideration is such that access to the site would not disadvantage nearby residents and adequate parking for this location would be provided within the site so as to not impact on the surrounding area.

As such, it is considered that the proposed layout would deliver a high quality development within an attractive countryside setting which would comply with UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

Scale and massing - The site currently accommodates a mill building which is approximately 6.8m high. The dwellings which are proposed along the front of Bolton Road would be a total of 9.4m high, but designed for the frontage units as split level, would be 2 storey and 7.5m high when viewed from the road, and therefore not significantly higher than the existing mill building (+ 0.7m).

The dwellings would be positioned similarly in comparison to the mill building footprint, which is set back and lower than street level. Plots 1-4 and 11-13 occupy the existing footprint. Plots 5-10 would have more prominence in siting and massing terms compared to the existing mill, as these would be closer to Bolton Road. This prominence is such that they would not be overly strident as flanking units have greater set backs from the road and as such graduate development to the frontage. These dwellings have been designed as 2 storey at the front and of a height and scale which would be similar to the cottages opposite and other properties which form the streetscape of the village. These dwellings would also actively engage with the streetscene and would be in line with the traditional pattern of Hawkshaw.

As the development extends southwards, the land levels continue to fall away, and whilst the houses would be 2.5 storey and have a height of 9.4m, the perception from the streetscene would be of the built development gradually reducing in height, and more evident from the easterly approach.

The scale and massing of the proposed dwellings and the development as a whole has not only sought to integrate into the site itself but also sought to relate to the surrounding local vernacular and built form. The closest building would be Hawkshaw Lodge, the converted mill building. This building is located at a lower level to the road, but is still an imposing and important building on passing and can be seen when travelling along Bolton Road and from views from the south. The development has sought to address the relationship to the Lodge by working with the topography of the site to take advantage of the gradients by stepping down the houses, so when viewed from Bolton Road and the countryside to the south, the dwellings would be seen against the backdrop of the Lodge building and provide views through the site. It is therefore considered that the importance, both in physical form and historical form of Hawkshaw Lodge would be retained and would continue to sit in its own right as a significant building in Hawkshaw village.

As such, it is considered that the scale and massing of the proposed development would be acceptable within the context of the immediate and surrounding areas and would comply with UDP Policies EN1/1, EN9/1 and H2/1.

Design and appearance - The village features a mix of both older, cottage style housing stock and more modern houses, although the established and traditional character is that of terrace style cottage properties which form a linear pattern along the Bolton Road frontage.

The proposed dwellings would be 3 storey, with integral garage at ground floor and living accommodation and bedrooms at first and second floors.

The application proposes to replicate elements of the appearance and design of the houses in the locality by proposing a development of terrace cottage and mews type dwellings. This would be particularly evident along the Bolton Road frontage. The challenging topography of this part of the site would be overcome by a split level solution, whereby the houses would be two storey at the front and 2.5 storey at the rear. Whilst the houses would be higher than the height of the existing mill building by approximately 3m, from eaves to roof level, the two storey appearance and height of the dwellings from the front and their positioning along Bolton Road would be similar to other properties which are located

along this road close by.

The dwellings along the frontage would have a traditional appearance, with gable ends, modest window openings and single leaded roofed dormer windows. The rear of the properties introduce larger type windows with balcony features.

Within the site, the dwellings would maintain the 'cottage' style theme, but of a more contemporary design, with larger window openings and some with featured balconies at roof level. Arched 'cellar' type openings to some of the garage areas at ground floor would add elements of reference to the sites industrial past which would introduce variety and interest to the design.

In terms of materials, all elevations would comprise a stone finish with rendered detailing, and slate effect roof tiles. Stone headers and cills to black upvc windows would frame the openings in the facade. The main road frontage would be bound with traditional black decorative railings on a low dwarf wall and arched openings to either side of units 5 and 10 would mark pedestrian entrance points to the site.

Hardstanding areas would comprise a mix of textured flag and block paving to delineate access and parking areas within the site.

It is considered that the proposed scheme would offer a high quality development to the area. The design and appearance of the dwellings and use of traditional materials would be in keeping with the local vernacular and considered to be an appropriate and a fitting approach to a residential development in a rural village setting. Subject to a condition to provide samples of the materials to be used, the proposals are considered to be acceptable and would comply with UDP Policies EN1/1 - Visual Amenity, H2/1 - The Form of New Residential Development and EN9/1 - Special Landscape Areas.

Residential amenity - In terms of relationships between new built development and surrounding properties, SPD6 contains supplementary guidance on separation distances and is used as a yardstick when assessing relationships to new residential development. A separation distance of 20m between habitable room windows and 13m between a principal ground floor habitable room window and a 2 storey blank wall is generally considered to be an acceptable minimum distance.

There would be a distance of 29.8m between the east elevation of Hawkshaw Lodge and the rear elevations of the nearest units, nos 17-19. A gabion wall would also be erected along the boundary of the rear gardens of Nos 17-19 which would further screen the ground floor rear elevations and rear gardens of these dwellings from Hawkshaw Lodge.

Houses proposed on the frontage would be more than 20m from the existing cottages on Bolton Road and with a 2 storey relationship, aspect standards would be satisfied.

Internally, even with the sloping gradient of the land, acceptable separation distances would be provided.

In terms of the relationship between the proposed dwellings and the surrounding properties, separation distances would satisfy planning policy guidance.

Drainage - As with all new residential schemes, the development would require a drainage scheme to be installed. Due to the topography and sloping levels of the site, a pumping station would be required which would be located at the lower end of the development. The site is in Flood Zone 1 and not designated a high flood risk area.

The Drainage Section have raised no objections to the proposed development subject to a condition to submit a drainage scheme for approval, prior to commencement of development. As such, the proposals are considered to be acceptable and comply with UDP Policy EN5/1 - New development and Flood risk and chapter 10 - Meeting the

Challenge of Climate Change, Flooding and Coastal Change of the NPPF.

Highways issues

<u>Access</u> - There is an existing access road off Bolton Road to the west of the site and this has historically served the industrial unit. This is now a private road which is owned by the 'Freeholders' of Hawkshaw Lodge but there is a right of access over the road for the owner of the Bleaklow Mill site. Matters of private rights of way and access are not a material planning consideration, and providing the site can be accessed via this route, as currently stated, this is acceptable for the purposes of the application.

Other options to access the site were investigated by the applicant, such as the far eastern area next to the sub-station but due to significant highway safety concerns about the position of the tight bend and proximity of the site, this was not an option that could be supported.

From the private road, a separate access would be created into the development, wide enough for one car to enter and one car to exit simultaneously. This internal road would lead to a courtyard type arrangement within the site and parking for the development. There would also be a hardstanding area for cars to access the driveways and garages to some of the units on the frontage, but no individual driveways would be located off Bolton Road itself.

There are unfinished works to the entrance off Bolton Road which should have been completed as part of the mill conversion development, but have been left unfinished. As part of their recommendation, the Highway's team have included a condition that this part of the access be made good. Whilst the problem was not created in the first instance by the owner or future developer of the site, it will be used by construction vehicles and HGV's to access the site for construction purposes and during the build out of the development, which would need to be 'made good' after the event in any case. As such this is considered to be a reasonable request and would also be a generous neighbourly gesture to those residents of Hawkshaw Lodge.

In terms of intensification and use of the access for 24 dwellings, the private road is 2 cars wide and vehicles would be able to pass comfortably to access and egress Bolton Road. Residential development is also of a type whereby trips are likely to be made at intermittent periods throughout the day and not all at one particular time. The traffic created would also be of a domestic nature and not from HGV's or delivery vehicles which would have previously serviced and accessed the site.

As such, it is considered that the access proposed and the highway works which would be carried out to improve the entrance area is considered to be acceptable and would be supported by the Highway's Section subject to conditions, and therefore in compliance with UDP Policies H2/2 - The Layout of New Residential Development, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict.

<u>Parking</u> - SPD11 states the maximum number of parking spaces required in a low access area would be 3 per 3/4 bed dwelling. This would equate to the need for the scheme to provide a total number of 72 spaces. It is proposed to provide 75 spaces in total, 3 for each property (including a garage) and 3 visitor spaces allocated within the site.

As such, the requirements for parking would be fulfilled and in compliance with policy guidance. In addition, the site is located on a main road and whilst this is a village location, there is a local bus service which runs through this part of the Borough and out towards Bolton.

Some of the local residents, and particularly those living at Hawkshaw Lodge have raised the issue of parking problems in the area, due to restrictive parking spaces for the apartments. The residents state that the Hawkshaw Lodge access road into the site therefore provides essential parking for residents and visitors to the Lodge. At the time,

those residents who bought their apartment would have been fully aware of the parking allocation per apartment and bought on this basis. That this is not now sufficient for their needs finding it necessary to park on the access road, is not a problem for the applicant of this development to address. The proposed scheme has demonstrated that there would be adequate parking within the site for the scale of development proposed and which would comply with the Council's standards and policy guidance.

Security - A Crime Impact Statement (CIS) has been submitted following the comments received from the Design for Security Team, who have raised no objection as the recommendations of the CIS have been incorporated in the scheme.

Ecology - The Greater Manchester Ecology Unit (GMEU) have been consulted and respond as follows:

<u>Summary</u> - Adequate ecological information has been submitted, no further information is required prior to determination. Potential ecological risks can be resolved via condition and or informative including bats, reptiles, nesting birds and protection of the watercourse.

<u>Bats -</u> The building was assessed for bat roosting potential and assessed as low risk. GMEU are satisfied there is no reason to doubt these conclusions. Soft demolition of the eastern gable has been recommended as a pre-cautionary measure. Whilst accepting such an approach, it would be more reasonable to request for a pre-cautionary emergence survey to occur immediately prior to demolition, which would most likely reduce the risk negligible and enable the wall to be demolished more quickly. The pre-cautions can be commissioned as part of any permission and a condition is therefore recommended.

Reptiles - The consultants have noted the habitat suitability of reptiles and recommend pre-cautionary measures prior to site clearance. However reptiles are extremely rare in Greater Manchester, confined primarily to upland and lowland moss habitats. GMEU are satisfied to advise by way of an informative.

Nesting Birds - Scrub will be lost as a result of the development, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A condition is recommended to be applied to any permission.

<u>Watercourse</u> - A small watercourse issues immediately to the south of the development, flowing eventually to the Kirklees Brook. There is a risk during and post constructions of negative impacts on the ecological potential of the watercourse as defined by the water framework directive and further downstream from surface water run-off from the site. GMEU recommend that measures during construction are put in place to ensure no pollutants or sediment enter the Brook. This can be conditioned as part of a construction and environmental management plan or as a stand alone condition.

Post development a condition covering details of how surface and foul water drainage will be discharged should be supplied that demonstrates no negative impact on the watercourse.

<u>Contributing to and enhancing the Natural Environment</u> - As noted by the consultants the site is generally of negligible ecological value other that these scrub and early successional habitats around the perimeter of the site. Without mitigation however this would be contrary to section 109 of the NPPF. GMEU are satisfied that on-site mitigation is possible to the south of the site and details can therefore be conditioned.

As such, it is considered that the development could be carried out without detriment to the ecological value of the site and mitigation measures put in place to resolve any potential ecological risks.

Planning Obligations - For a development of 2 detached, 16 semi detached and 6 terrace

properties, a contribution for recreation would be required of £66,373.12 in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1. This would be secured through a Section 106 Agreement.

Projects have been identified as:

- Improvements to play equipment at Old Kay's Park Area
- Refurbishment of play equipment and surfacing at Hawkshaw Recreation Ground Play Area
- Improvements to access and surfacing of footpath at Pot Green
- Relocation of playground site and upgrade of play equipment at Greenmount recreation Ground Play Area

The scheme proposes to contribute £20,000 for the Loss Of Employment Land which would be secured in the S106 Agreement.

Response to objectors

- In terms of landownership and rights of access to the site are private matters and not material to this planing application.
- A reduction in the speed limit on Bolton Road referred to by the objectors, is not a consideration for this planning application and a separate Highway's matter.

All other objections which have been raised, including appropriateness under planning policy, planing obligations, layout, density, scale, design, residential amenity, traffic, parking and flooding, have been covered in the above report.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Minded to Approve

Conditions/ Reasons

- The development must be begun not later than three years beginning with the date of this permission.
 Reason. Required to be imposed by Section 91 Town & Country Planning Act
 - 1990.
- 2. This decision relates to drawings numbered Site location plan L06 C; Proposed site plan L12 A; Proposed site plan, existing topo and site access arrangement L11 D; Proposed sectional elevations (1 of 2) SE01 D; Proposed sectional elevations (2 of 2) SE02 B; House type A elevations E01 A; House type A version 2 elevations E06 A; House type B elevations E04 A; House type C elevations E02 A; House type D and D(2) E03 A; House type E elevations E07; Hose type A floor plans P02 A; House type B floor plans p03 A; House type C floor plans P04 A; House type D floor plans P05 A; House type E floor plans P10; Existing site plan L01; Arboricultural Impact Assessment; Extended Phase 1 Habitat Survey report January 2017 by REC ref 103046EC1R0; Transport Statement by Croft January 2017, and the development shall not be carried out except in accordance with the drawings hereby approved.

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

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

<u>Reason</u>. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 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.
 - <u>Reason</u>. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 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. 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.
- 7. Notwithstanding the details indicated on approved plan references 10166 L11 Revision D & 10166 L12 Revision A, no development shall commence unless and until full details of the following have been submitted to and approved by the Local Planning Authority:
 - An Approval In Principle for the proposed replacement retaining structure abutting the adopted highway, incorporating full structural, construction and drainage details, calculations and a detailed construction method statement, including details of pedestrian protection measures, site hoardings located clear of the existing sightlines from the existing site access and traffic

- management proposals on Bolton Road.
- Reinstatement of the redundant access onto Bolton Road and reconstruction of the adopted footway abutting the site to a specification to be agreed as a result of the replacement of the existing retaining structure.
- Formation of the proposed site access onto the existing unadopted access road, incorporating the final surfacing of the carriageway from its junction with the adopted highway, provision of a 2.0m footway abutting Plots 1 3 & 15 the site and all associated highway and highway drainage remedial works required as a result of the construction of the proposed development.
- Provision of a street lighting assessment of the intensified junction with Bolton Road and proposed unadopted estate roads and subsequent scheme of improvements.

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

Reason. Information has not been submitted at application stage. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, H4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 8. 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:
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site of operatives' and construction vehicles together with storage on site of construction materials.

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

Reason. Information has not been submitted at application stage, to mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict.

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

<u>Reason.</u> Insufficient information has been submitted at application stage to ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H4 - New Development.

- 10. The visibility splays indicated on approved plan references 10166 L11 Revision D & 10166 L12 Revision A shall be implemented to the written satisfaction of the Local Planning Authority before the new site access is brought into use and subsequently maintained free of obstruction above the height of 0.6m.
 Reason. To ensure the intervisibility of the users of the site and the adjacent unadopted access in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 The Layout of New Residential Development, EN1/2 Townscape and Built Design and HT6/2 Pedestrian/Vehicular Conflict.
- 11. The turning facilities indicated on approved plan references 10166 L11 Revision D & 10166 L12 Revision A shall be provided before the dwellings are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
 <u>Reason</u>. 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, EN1/2 Townscape and Built Design and HT6/2 Pedestrian/Vehicular Conflict.
- 12. The car parking indicated on approved plan references 10166 L11 Revision D & 10166 L12 Revision A shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.

 Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 The Layout of New Residential Development and HT2/4 Car Parking and New Development of the Bury Unitary Development Plan.
- 13. 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.
 - <u>Reason</u>. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 Water Pollution and EN7/5 Waste Water Management and chapter 10 Meeting the challenge of climate change, flooding and coastal change of the NPPF.
- 14. Details/Samples of all the materials to be used in the external elevations, including dormer and window details and materials, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development. Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity, EN9/1 Special landscape Areas, OL1 Green Belt and H2/1 The Form of New Residential Development.

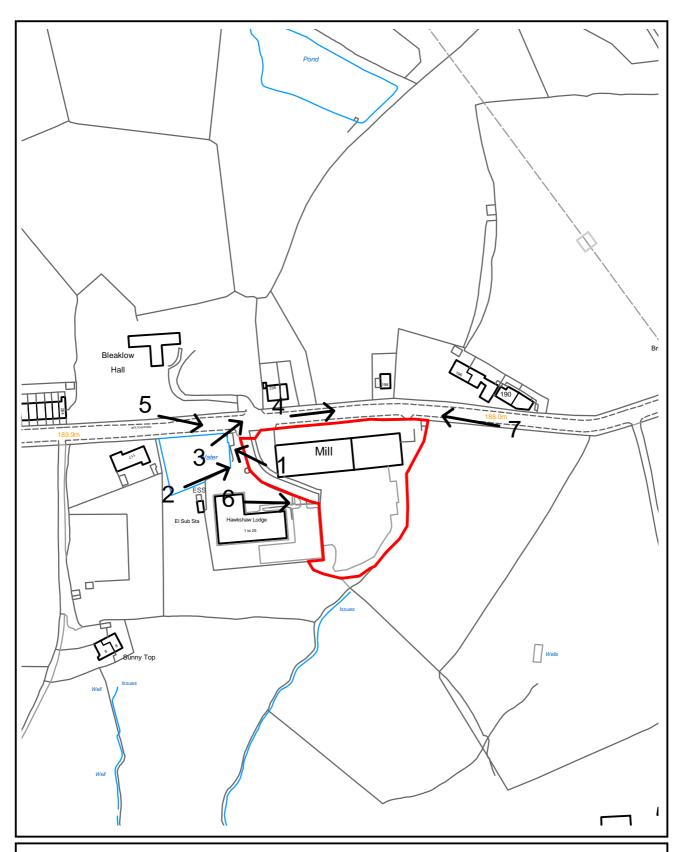
- 15. No development shall commence unless and until details relating to all proposed boundary treatment for the site, including the gabion wall, shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development and thereafter maintained.
 - <u>Reason</u> Insufficient information submitted at application stage. To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policies EN1/2 Townscape and Built Design, EN1/3 Crime Prevention, H2/1 The Form of New Residential Development, H2/2 The Layout of New Residential Development of Bury Unitary Development Plan.
- 16. No development shall commence unless and until a landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. The content of the plan should include elements to mitigate for the loss of trees, shrubs and bird nesting habitat and details showing the materials for hard landscaping. The approved scheme and soft landscaping plan shall be implemented in accordance with the approved details, within 12 months or the first available planting season on first occupation of the development hereby approved, and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted. Reason. Insufficient information submitted at application stage. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies EN1/2 - Townscape and Built Design, H2/2 - The layout of New Residential Development and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
- 17. Immediately prior to any demolition between 1st April and 31st October, permitted by this approval, a bat emergence survey of the eastern gable shall be conducted, and the survey results supplied to and agreed by the Local Planning Authority. Any mitigation measures or recommendations of the survey shall be carried out as approved.
 - 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.
- No works to trees or shrubs shall be carried out between 1st march and 31st August inclusive in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active birds nests are present which has been approved by the Local Planning Authority.
 Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 Conservation of the Natural Environment and EN6/3 Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 Conserving and enhancing the natural environment.
- 19. No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the watercourse to the south from accidental spillages, dust and debris has been supplied to and approved by the Local Planning Authority. All measures shall be implemented and maintained for the duration of the construction period in accordance with the approved details. The method statement shall also demonstrate that there will be no negative impact on the watercourse following completion of the development. Reason. Insufficient information submitted at application stage. 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. No development shall commence unless and until a scheme and plan for the landscaping, maintenance and management of the area of open space to the south of the site, shown on approved plan 10166 L12 A, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed and the area of open space shall be made available for such use prior to first occupation of the development hereby approved. The area of open space shall thereafter remain as accessible open land and shall be managed and maintained as such in accordance with the approved scheme and plan.
Reason. Insufficient information submitted at application stage. To provide, maintain and improve opportunities and access to the countryside pursuant to Bury Unitary Development Plan Policies RT3/3 - Access to the Countryside and OL7/2 - West Pennine Moors.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61117

ADDRESS: Bleaklow Mill

Bolton Road

Tottington Planning, Environmental and Regulatory Services

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61117



Photo 2





Photo 4





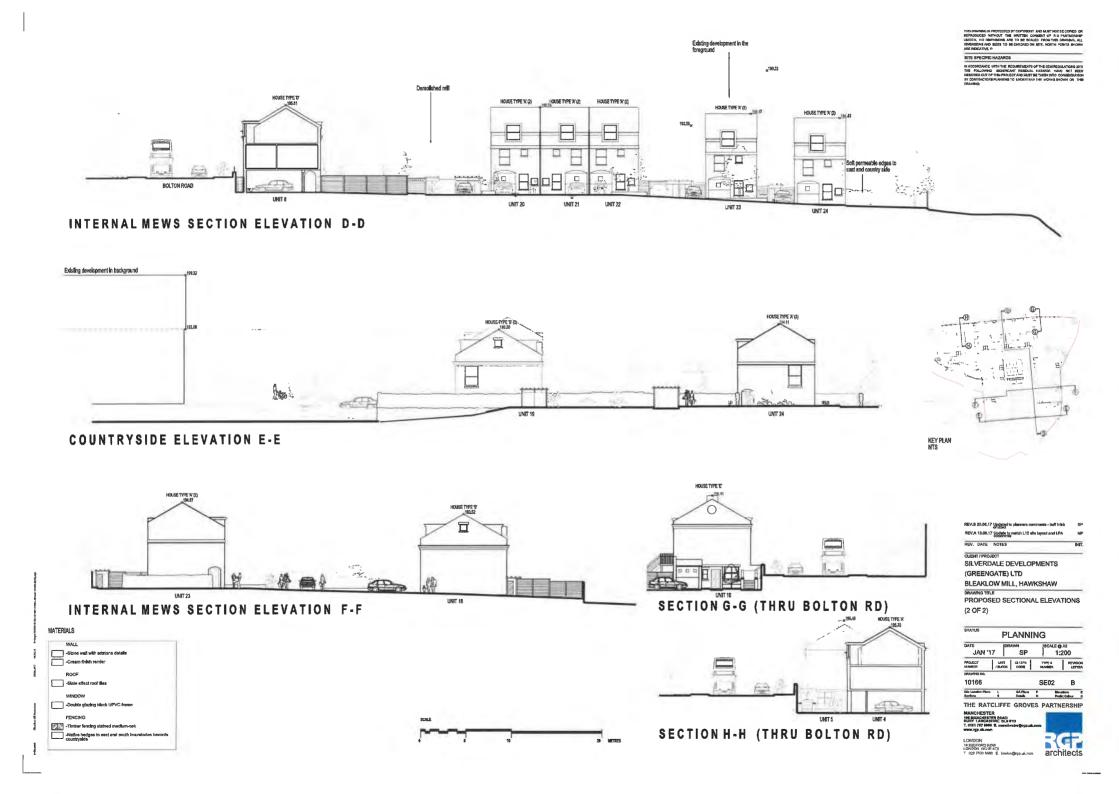
Photo 6

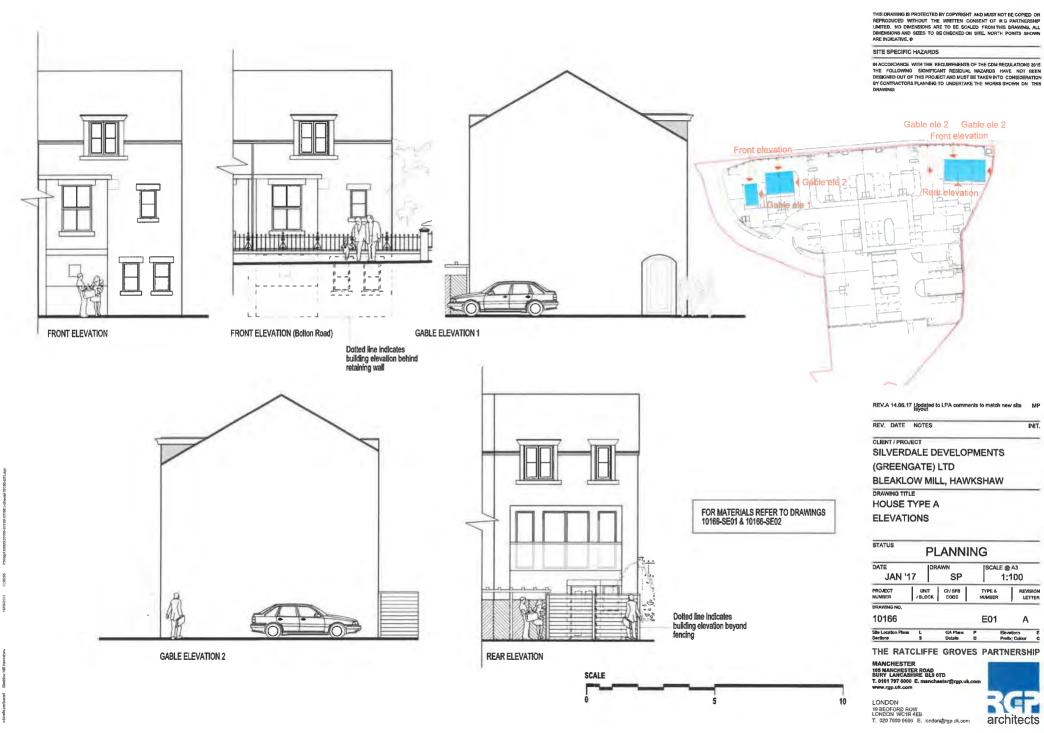










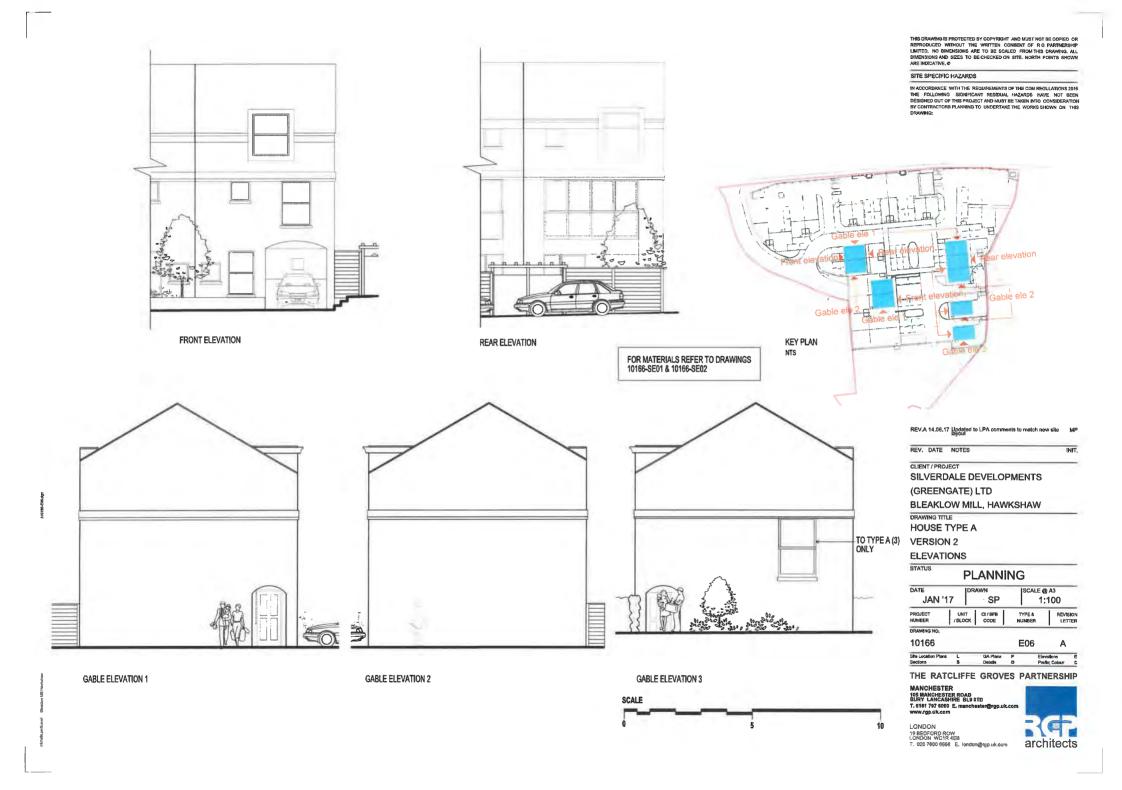


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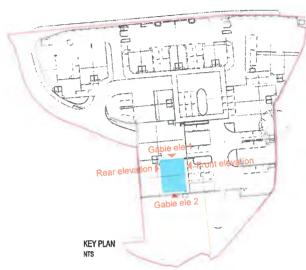


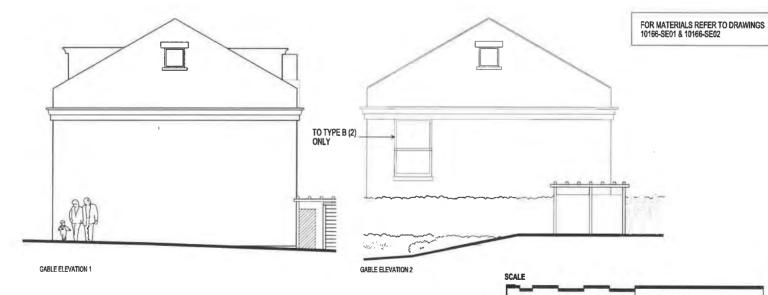
SITE SPECIFIC HAZARDS

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REV.A 14.06.17 Updated to LPA comments to match new site MP

REV. DATE NOTES

CLIENT / PROJECT

SILVERDALE DEVELOPMENTS (GREENGATE) LTD

BLEAKLOW MILL, HAWKSHAW

DRAWING TITLE

HOUSE TYPE B

ELEVATIONS

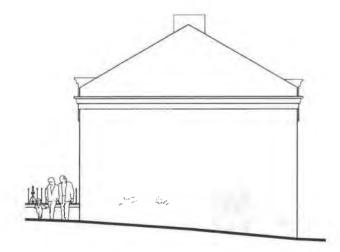
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THE RATCLIFFE GROVES PARTNERSHIP

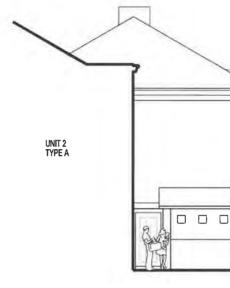
MANCHESTER 105 MANCHESTER ROAD BURY LANCASHIRE SL9 0TD T. 0161 797 6000 E. manchester@rgp.uk.com Www.rgp.uk.com

LONDON 19 BEDFORD ROW LONDON WC1R 4EB T. 020 7600 6666 E. london@rgp.uk.com





GABLE ELEVATION 2

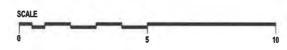


GABLE ELEVATION 1



profile beyond fencing

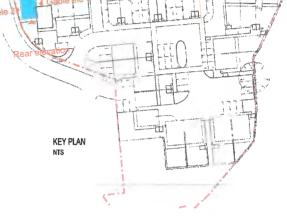
REAR ELEVATION



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Front elevation

FOR MATERIALS REFER TO DRAWINGS 10166-SE01 & 10166-SE02

REV.A 14.06.17 Updated to LPA comments to match new site MP

REV. DATE NOTES INC

CLIENT / PROJECT

SILVERDALE DEVELOPMENTS (GREENGATE) LTD

BLEAKLOW MILL, HAWKSHAW

DRAWING TITLE

HOUSE TYPE C ELEVATIONS

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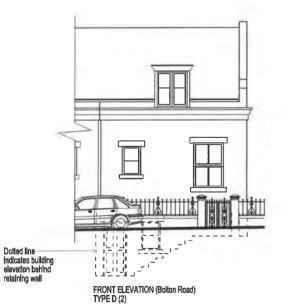
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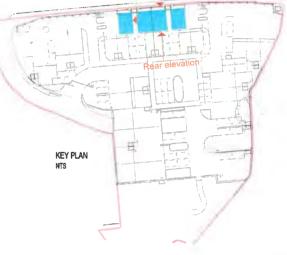


SCALE

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SITE SPECIFIC HAZARDS

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REV.A 14.06.17 Updajed to LPA comments to match new site MP

REV. DATE NOTES

CLIENT / PROJECT

SILVERDALE DEVELOPMENTS (GREENGATE) LTD

BLEAKLOW MILL, HAWKSHAW

DRAWING TITLE

HOUSE TYPE D AND D(2)

ELEVATIONS

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BY CONTRACTORS PLANNING TO UNDERTAME THE WORKS SHOWN ON THIS

Front elevation



FOR MATERIALS REFER TO DRAWINGS

10166-SE01 & 10166-SE02

PLANNING DATE SCALE @ A3 JUNE '17 MP 1:100 PROJECT NUMBER UNIT C1/SFB /BLOCK CODE TYPE & NUMBER REVISION 10166 E07

SILVERDALE DEVELOPMENTS

BLEAKLOW MILL, HAWKSHAW

REV. DATE NOTES CLIENT / PROJECT

DRAWING TITLE

STATUS

HOUSE TYPE E **ELEVATIONS**

(GREENGATE) LTD

GA Plans Detalls

THE RATCLIFFE GROVES PARTNERSHIP

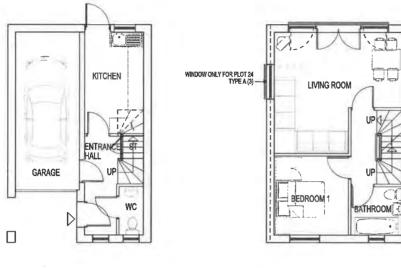
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> LONDON 19 BEDFORD ROW LONDON WC1R 4EB T. 020 7600 6666 E. landon@rgp.uk.com



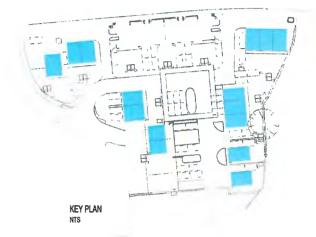
REAR ELEVATION

IN ACCORDANCE WITH THE REQUIREMENTS OF THE COM REGULATIONS 2016
THE FOLLOWING SIGNIFICANT RESIDUAL MAZARDS MAVE NOT BEEN
DESIGNING DUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION
BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS



GROUND FLOOR 34.73 SQ.M

FIRST FLOOR 39,50 SQ.M



-EN-SUITE BEDROOM 2 BEDROOM 3 1.8m HEADROOM LINE

SECOND FLOOR 35.97 SQ.M



REV.A 120617 UNIT SIZE REDUCED REV. DATE NOTES CLIENT / PROJECT SILVERDALE DEVELOPMENTS (GREENGATE) LTD BLEAKLOW MILL, HAWKSHAW DRAWING TITLE HOUSE TYPE A FLOOR PLANS

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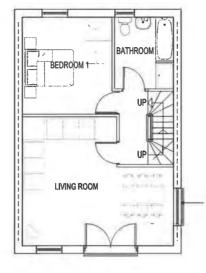
THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgs

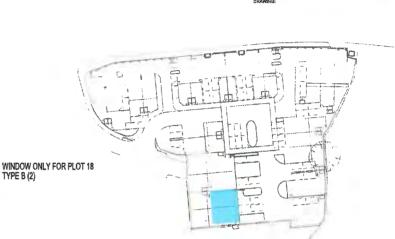
LONDON

19 BEDFORD ROW LONDON WC1R 4EB architects T. 020 7600 5666 E. london@rgp.uk.com

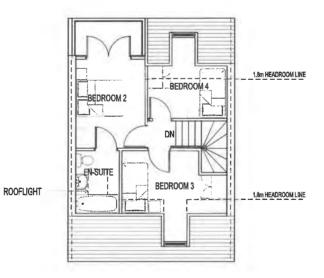
GROUND FLOOR
46.39 SQ.M



FIRST FLOOR 52.51 SQ.M



KEY PLAN NTS



SECOND FLOOR

36.51 SQ.M



REV.A 120617	UNIT SIZE REDUCED	MP
REV. DATE	NOTES	INIT.
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(GREEN	GATE) LTD	
BLEAKLO	OW MILL, HAWKSHAW	
DRAWING TITL	Æ	
HOUSE 1	TYPE B	
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IN ACCORDANCE WITH THE REQUIREMENTS OF THE COM REGULATIONS 2015
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DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION

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THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER

103 MANCHESTER ROAD

BURY LANCASHIRE BL9 0TD

T. 0161 797 6008 E. manchester@rgp.uk.c

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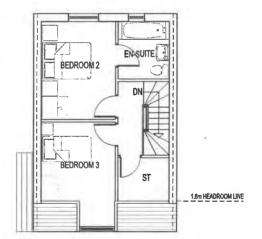
LONDON 19 BEDFORD ROW LONDON WC1R 4EB T. 020 7600 6868 E. london@rgp.uk.com



GROUND FLOOR
38,90 SQ.M



FIRST FLOOR
39.43 SQ.M



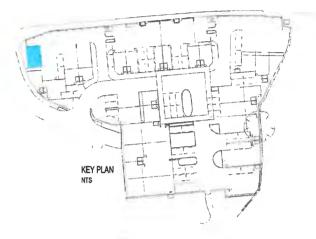
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SITE SPECIFIC HAZARDS

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THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN
DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION
BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS 6HOWN ON THIS
DRAWMAIN.



REV. DATE NOTES

CLIENT / PROJECT

SILVERDALE DEVELOPMENTS (GREENGATE) LTD

BLEAKLOW MILL, HAWKSHAW

DRAWING TITLE

HOUSE TYPE C FLOOR PLANS

PLANNING

DATE | DRAWN | SCALE @ A3

JAN '17 | SP | 1:100

JAN '17 SP 1:100

PROJECT UNIT CL'SEB TYPE'S REVISION NUMBER LETTER
DRAWNING NO.

10166

THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER 105 MANCHESTER ROAD BURY LANCASHIRE BL9 0TD T, 0161 797 8000 E, manchester@rgp.ul

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.nk.com

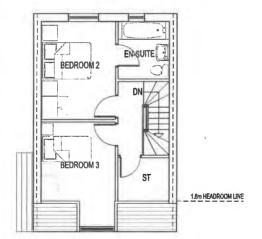


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GROUND FLOOR
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FIRST FLOOR
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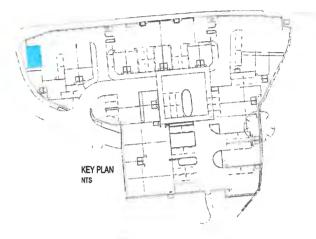
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SITE SPECIFIC HAZARDS

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DRAWMAIN.



REV. DATE NOTES

CLIENT / PROJECT

SILVERDALE DEVELOPMENTS (GREENGATE) LTD

BLEAKLOW MILL, HAWKSHAW

DRAWING TITLE

HOUSE TYPE C FLOOR PLANS

PLANNING

DATE | DRAWN | SCALE @ A3

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PROJECT UNIT CL'SEB TYPE'S REVISION NUMBER LETTER
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THE RATCLIFFE GROVES PARTNERSHIP

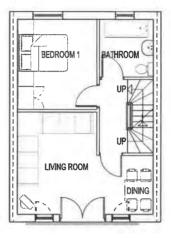
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LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.nk.com

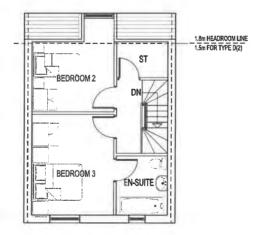


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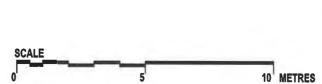




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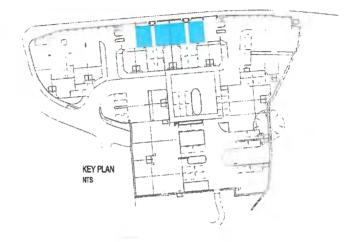
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SITE SPECIFIC HAZARDS

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(GREEN	GATE) LTD	

BLEAKLOW MILL, HAWKSHAW

HOUSE TYPE D

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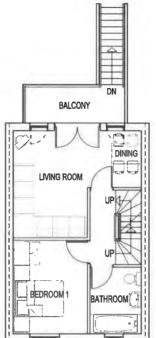
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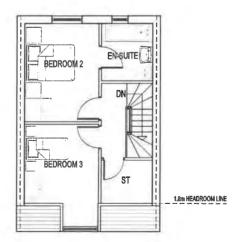
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10 BEDFORD ROW
19 BEDFORD ROW
10 NOON WOTH AEB
7. 020 7800 6666 E. londen@rgp.uk.com
architects



FIRST FLOOR 39.50 SQ.M (excluding balcony)





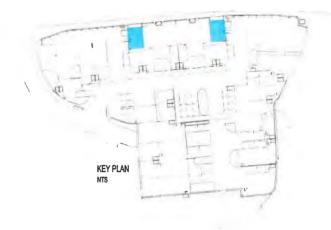
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SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REQUILATIONS 2015
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BY CONTRACTORIS PLANNING TO UNDERTRAGE THE WORKS SHOWN ON THIS



REV. DATE NOTES

CLIENT / PROJECT

SILVERDALE DEVELOPMENTS (GREENGATE) LTD

BLEAKLOW MILL, HAWKSHAW

DRAWING TITLE

HOUSE TYPE E

FLOOR PLANS

STATUS	PL	ANNI.	NG	
JUNE '1		MP	SCALE	@ A3 :100
PROJECT NUMBER	UNIT /BLOCK	CI/SFB CODE	TYPE & NUMBER	REVISION
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LONDON 19 BEDFORD ROW LONDON WC1R 4EB T. 020 7600 5866 E. london@rgp.uk.com



Ward: Whitefield + Unsworth - Unsworth Item 05

Applicant: Nationwide Limited

Location: Car park to the north of 129 Croft Lane, Bury, BL9 8QH

Proposal: Outline application for the construction of 7 no. dwellings

Application Ref: 61135/Outline Planning **Target Date:** 12/04/2017

Permission

Recommendation: Minded to Approve

The application is Minded to Approve subject to the completion of a S106 agreement relating to the provision and maintenance of a 6 space car park associated with the adjacent business and residence at No.129 Croft Lane.

Description

The application relates to land adjacent to the former Roach Bank Inn on the west side of Croft Lane. A large central section of the 0.2ha site was formerly the car park of the Roach Bank Inn, situated to the south, prior to it closing and becoming a plasterers and decorators training centre with a single residential unit to the rear and above.

The open land to the west slopes down to the River Irwell. To the north is a small open area before the car park of Blackford Medical Centre. Across Croft Lane to the east is the junction with Borden Way with houses immediately to the north.

The application, which is in outline seeking approval for layout and access, proposes seven new dwellings fronting Croft Lane. The access would be directly off Croft Lane into a parking area (10 spaces) in front of the houses. A second access point into a smaller 6 space car park, to be used by training centre and ancillary residential unit, would be formed just to the north of the building itself. Each house would have a small rear garden which would back onto an area that would be retained as an ecologically enhanced natural landscaped area which would also run around the north side of the development.

Relevant Planning History

58418 - Change of use of existing pub (Class A4) with ancillary residential accommodation to: Plaster training centre (Class D1) and associated showroom (Class A1) on ground floor; Separate dwelling (Class C3) at ground and first floor; Retention of existing residential accommodation at first floor (Class C3); - Approved 07/07/2015
16/0415 - Car park arrangement not completed - 24/11/2016

Publicity

The following nine properties were notified by letter dated 16/02/17. Site notice posted and press notice in Bury Times 23/02/17.

1-5(odd) Borden Way, 123, 125, 129, 135 and 139 Croft Lane and Park Royal Haulage. One representation has been received from the business at the former Roach Bank Inn at 129 Croft Lane. Concerns relate to the proximity of the development is to his property. He states it is too close and would reduce outlook and light into his property.

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Section - Final comments will be reported in the supplementary report. **Drainage Section** - No objection.

Diamage Section - No objection.

Environmental Health - No objection.

Waste Management - No objection.

Greater Manchester Ecology Unit - No objection.

United Utilities - No objection.

Unitary Development Plan and Policies

EN6/4	Wildlife Links and Corridors
OL5/2	Development in River Valleys
HT2/1	The Strategic Route Network
EN1/2	Townscape and Built Design
H1/2	Further Housing Development

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

NPPF National Planning Policy Framework

SPD11 Parking Standards in Bury

SPD16 Design and Layout of New Development in Bury SPD2 DC Policy Guidance Note 2: Wildlife Links & Corridors

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.

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

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

EN6/4 Wildlife Links and Corridors. The Council will seek to consolidate and, where appropriate, strengthen wildlife links and corridors, and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their effectiveness through the design, landscaping and siting of development proposals and mitigation works, where appropriate.

OL5/2 - Development in River Valleys. Within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below:

- a) where the area is designated as Green Belt the established Green Belt policies will apply; or
- b) where the area does not form part of the Green Belt, at least one of the following circumstances is met:
- i) that the development represents limited infilling to an established valley settlement or industrial area;

- ii) that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;
- iii) that the development is required in association with an outdoor recreation or appropriate tourist facility;
- iv) that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities;
 - v) any other development that would be appropriate in a Green Belt.

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

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

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

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

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

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

Principle - Regarding UDP Policy OL5/2 on River Valley, the site is situated at a key point of the river valley network, allowing some east-west movement. In terms of the first test in OL5/2, it is not considered this is met as the development would lead to the division of the open parts of the valley into sections. Although the majority of the development would take place on the footprint of the former pub car park, the new houses would form a visual barrier for long distance views across the valley and would narrow the gap between the built development to the south-west and the medical centre to the north-east. Despite this, improvements to the layout have been made to increase the 'retained habitat' area where there would be ecological enhancement. The residual area created does still provide an appreciable physical and visual gap to the wider river valley to the west, thereby aiding the objectives of River Valley policy OL5/2 and green infrastructure.

In terms of the second test within policy OL5/2, it is viewed that the criterion in relation to 'limited infilling' to an established valley settlement is the most appropriate to the proposal and that this is considered to be met. The development of the housing units and car park is largely on a previously developed brownfield site, is of limited scale and, whilst set back

from Croft Lane, continues the established building pattern along the road.

Whilst the proposal is not fully complient with OL5/2, compelling reasons have been put forward for the development to be considered acceptable and these are set out below.

- Provision of housing to satisfy the NPPF's considerable weight on the need for local planning authorities to meet national and local shortfalls in housing supply;
- Provision, through a S106 agreement, of a seperate car park to serve the adjacent business which currently does not have such a facility, therefore satisfying the significant weight afforded by NPPF Paragraph 19 to support economic growth and also in the interests of highway safety;
- Retention and enhancement of ecological habitat with potential to achieve a net positive contribution to the natural environment in accordance with NPPF Paragraph 109:
- Retention of a physical and visual link to River Valley and countryside below, facilitating through access and contributing to green infrastructure objectives.

On balance, and in accordance with the presumption in favour of sustainable development in the NPPF, the above considerations represent sufficient mitigation and benefits that outweigh any adverse impact of the development. As such the proposal is considered to be acceptable and complies with the NPPF and UDP Policy OL5/2 relating to the River Valley.

Visual amenity and River Valley - The proposed houses would sit relatively comfortably on the site and generally follow the existing development pattern along Croft lane, running north east from the former Roach Bank pub whilst maintaining a 'green gap' to the medical centre further along Croft Lane.

It is recommended that a condition be attached to any approval that 'permitted development' rights are removed for the proposed houses given the limited garden areas, the sensitivity of the site and the need to maintain a more open aspect across the River Valley.

Residential amenity - Given the position of the houses on the sight and the relationship with surrounding properties, there are no serious residential amenity issues arising from the proposal. The windows in the nearest residential property at No.129 are in the side elevation and not primary windows and there is a detached garage between the neighbour and the nearest house on plot 1. Separation distances are acceptable and comply with UDP policies H2/1 and H2/2 and guidance note 6 in relation to residential development.

Access and Parking - The proposal involves two distinct car parks, accessed from Croft Lane. The larger car park, with 13 spaces, in front of the new houses, would serve the residential development whilst the second smaller car park with 6 spaces, would serve the adjacent plastering/decorating centre next door at No.129.

The smaller car park, serving the plastering/decorating centre, is essential as the parking requirement proposed in the original planning application (58418), cannot be achieved as land shown was not in the applicant's control. The alternative to the car park proposed by this application is enforcement action and continued parking problems related to the centre and could effectively close this business operation down.

The access points into both car parks are at existing access points and have adequate visibility onto Croft Lane and are acceptable in terms of highway safety and as such are considered to comply with UDP Policies H2/2 and HT2/4 relating to parking and access. However the final comments of the Traffic Team will be reported in the supplementary report but have no objection in principle.

Ecology - There were no significant ecological constraints identified in the ecological statement. Issues relating to invasive species, nesting birds, bats, the River Roch and ecological mitigation were identified which can be resolved by an appropriate condition.

Bats - There are no roosting opportunities on the development site, but the Roch Valley corridor has been identified as potentially important commuting and foraging corridor that could be adversely impacted upon by external lighting. However, in practice the Valley is sufficiently wide that it is highly unlikely that any external lighting would have a significant impact given that the proposed houses will be between any street lighting and the river.

Nesting Birds - No moderate or high value bird nesting habitat was identified on the site. The consultants recommendations for inclusion of bat and bird boxes within the development is welcomed. The developments location on the edge of the Roch Valley makes it an ideal location to integrate bat boxes into the built development.

Invasive Species - Japanese knotweed and Himalayan balsam were identified on the site. Both are included within this schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. A condition requiring the land to be treated is recommended.

River Roch Wildlife Corridor and enhancement of the Natural Environment - The development site is of very low ecological value but lies within the Roch Wildlife corridor. The proposed site layout indicates that part of the site will be allocated for habitat enhancement measures. The proposal which has the potential to make a positive contribution to the Natural Environment in line with the section 109 of the NPPF as well as enhancing the wildlife corridor in line with UDP policy EN6/4.

Subject to an appropriate condition relating to ecological enhancement/mitigation measures, there is no objection from Greater Manchester Ecology Unit.

Representations - The concerns of the occupier of 129 Croft Lane have been addressed above. Given the relative position of the new development to side window at No.129, there would be no serious harm caused to residential amenity.

S106 Legal Agreement - In order to secure the provision of the car park serving the plastering/decorating centre and flat at 129 Croft Lane, a S106 legal agreement is required to be agreed between the Local planning Authority and both landowners ie. the owner of the site and the owner of 129 Croft Lane.

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: Minded to Approve

Conditions/ Reasons

- 1. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such

matter to be approved.

<u>Reason</u>. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; scale, appearance and landscaping of the site.
 Reason. To ensure the satisfactory development of the site and because this application is in outline only.
- This decision relates to drawings numbered 16/1077/101A and 201E 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
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 4. Details/Samples of all external finishing materials to be used in the external elevations, boundaries and areas of hardstanding shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
 - <u>Reason</u>. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 Townscape and Builty Design.
- 5. 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.
- 6. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

7. Following the provisions of Condition 6 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

environment.

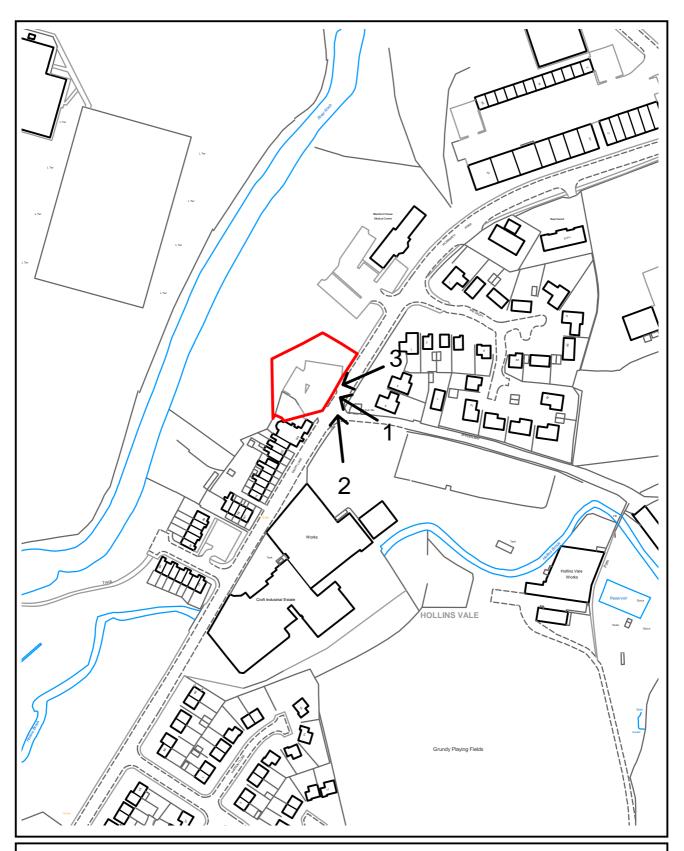
- 8. No development shall commence unless and until a Land Management Plan, relating to the application site has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include:
 - Measures for the eradication and control of Himalayan Balsam and Japanese Knotweed on the site,
 - Details of proposed ecological enhancement measures.
 - Timetable for implementation and monitoring of works.

The management plan shall be carried out in accordance with the approved details only.

Reason No details have been submitted and to ensure that there is no undue impact upon wildlife and to ensure that the management of the nature park and ecological enchancement area is carried out, the extent of the management plan and that appropriate mitigation is implemented in a timely fashion with acceptable levels of aftercare pursuant to Unitary Development Plan Policy EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors and Chapter 11 - Conserving and Enhancing the Natural Environment of the National Planning Policy Framework.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61135

ADDRESS: Car Park To The North Of 129 Croft Lane



Planning, Environmental and Regulatory Services

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61135





Photo 2







Ward: Ramsbottom and Tottington - Item 06

Ramsbottom

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 infront 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 and 0.75m from the northern area of the manege, which would be filled along the southern 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

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. Appeal dismissed 3/9/2013.

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 10/0434 - Enforcement notice served 10/4/2012 to remove access track 19/3/2014 to remove hardstanding.

Publicity

Letters sent to 7 properties at Lower Dickfield, Higher Dickfield, Hillcrest, Highfield House, Lower Tops Farm, all Helmshore 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 Helmshore 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, gasline,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 Helmshore 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 manage;
- 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 Helmshore 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 manage to scale; level of the manege and appearance; access off Helmshore 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' from east to west, which would be required to level the land. The objector was re-notified of the proposed plan on 2/6/2017.

Further objection received dated 6/6/17 from Higher Tops Farm, with photographs, summarised as follows:

- Revised site masterplan No application should be considered until an accurate plan of what is there now be submitted - not what should be there or in the future. Gives the wrong impression and implies things ie access, which are not authorised.
- Pedestrian /Footpath gate Any use of this gateway other than for its original use is not lawful. This was the only gate off Moor Road present when application for stables was approved along with the access to Helmshore Road - has led to ongoing issues with access, right of way and water.
- Topographical data Existing and proposed/Cut and Fill plan This implies there will be
 an equal and opposite requirement for the cut and fill of the land, leading to zero wagon
 movements in and out the site? Levels of North to South not shown as the land falls
 steeply away that is why there is a need for retaining walls and steps from the existing
 stable block therefore needs backfilling.
- Very Special Circumstances Statement there is nothing special that justifies the need for such a manege. A combination of stabling, stock/paddock rotation and stocking density can be used to manage husbandry and health issues. The applicant has the rest of the field to use ad access to a hard surfacing via Moor Road to exercise all year round.
- Covenant Lines The development would fall outside the covenant lines. The
 development would affect our views. it would obstruct our ability to watch our stock in
 the next field from our property, which is our livelihood.
- Access It does not state which is to be the agreed access point for both the construction of and use of the mange. there will be construction vehicles and workmen required. Once built, it will be used by instructors/trainers which is happening now in the paddock. Highways recommend access is not via Helmshore Road yet this access is being used daily for both residential and equestrian purposes. The manege would be built and in place before anything is done to stop unauthorised works. Access proposals need to pinned down in black and white.
- Summary View approximately half the development including landscaping falls outside the covenants we have in place and amount of landscaping increases the height of the development
- There is no authorised access from Helmshore Road or Moor Road for both construction and ongoing use.
- We could not agree to cameras and lights.
- If this issue ends up in court we cannot see how the Council could not be held accountable if it is passed without specific access given the history.

Further letters of objection received from Higher Tops Farm on 15/6/17 with issues summarised as:

 Still question the level of cutting and filling required on site and need to bring in material to back fill with - there would be a significant requirement to cut and fill from North to South;

- Relevant planing history seems to be missing the enforcement order in 2012 to remove the lane to the yard, which is relevant as the same lane is mentioned in condition 5;
- The report states that the manege would be close to the yard/hardstanding which is
 misleading. If we are correct the permission is not valid as a standalone, only as part of
 application ref 58146 which requires access off Moor road and access off Helmshore
 Road removed. If this application runs out next February, the yard has no permission
 to stay;
- It is stated that access is a private matter, but surely planning has a responsibility to whether the existing access is suitable and sufficient this issue is again ignored;
- Access was not considered in 2006 for the stables and access issues are not resolved on this matter;
- It is stated that application ref 58146 is not under consideration here, yet the applicant shows the access off Moor Road to imply its in place yet this is not the case;
- The report states access is a private matter, but shouldn't planning consider if the current access is adequate? How will it be built, how will materials be brought to site, how will it impact on traffic, where will vehicles access and park? How do visitors access the site - ie instructors/trainers;
- There is clearly only one access available off Moor Road and one vehicular access off Helmshore Road which ironically is stated in condition 5 should not be used;
- The truth is there is no lawful vehicular access to both build and use the manege. If the
 removal of the road down to Helmshore Road is ever enforced, the manege will end up
 having no access, and will be the next justification to keep the road;
- Conditions are meaningless if they cannot be or are not enforced. There were conditions associated with application ref 46659 with respect to surface water, manure plans and landscaping which have never been adhered to;
- In our letter dated 7/6/17, we stated that in the planning committee meeting for the application ref 58146, for the store, yard and access, previous breaches should not be considered as there were other systems in place. Yet these issues have not been resolved.
- If this application were to be passed, condition 5 needs to be changed with respect to access, to include pinning the applicant down to state the intended vehicular access;
- Given previous history, very cynical about this application and do not believe everything which is being stated;
- Request the application be refused and as it falls outside covenant lines that restrict building/development.
- For the avoidance of doubt, please see attached photographs which show the access road which should have been removed following the enforcement order and the concern this would be used to access the manege.

Following the objector's comment above, plan requested and received to show a section of the proposed manege and the extent of the 'cut and fill' from north to south. The objector was notified of the proposed plan on 22/6/2017.

Letter of objection received from Higher Tops Farm dated 30th June 2017 summarised as follows:

- After considering our previous letters we do not have anything new to add just to ask that our letters are made available in full and not edited;
- Again ask the application is refused or only passed with a specific point of access noted on the plans, ie pedestrian gate;
- The development should not start until the agreement is in place;
- The Council claim access is not their problem, but if plans came in for a new housing development development part of the consideration would be access and whether suitable and efficient:
- If the access to this site is not to be from Helmshore Road as per condition 5, and not
 via access in application 58146 (creation of entrance from the yard at Higher Tops Barn
 out to Moor Road), as it does nor exist, it can only be assumed the applicant is to
 trespass through the pedestrian gate off Moor road onto his land, with diggers,
 deliveries etc and make nuisance by unlawfully unloading vehicles over or through the

- wall off Moor Road into the site. This is not suitable or sufficient;
- The Applicant and family have a 'do it anyway regardless' attitude 2 examples both linked to planning are cited 1) confrontation with the applicant following the unauthorised use of the access gate for leading out horses when it is pedestrian use only. There is no right to use the gate for equestrian purposes. Threats made by applicant to ourselves. 2) witnesses the unauthorised use of the access from Helmshore Road to Higher Tops barn by a member of the applicant's family, who proceeded to turn round and use correct access off Moor Road once these actions had been witnessed;
- The applicant's know this should not be used as access and make a mockery of planing;
- they know the manege falls outside the covenants in the deeds to protect each other's views;
- To summarise please refuse the application or strictly control matters in black and white.

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 manage to Helmshore Road.

Natural England - No objection. The application site is 30m from the SSSI. Natural England considers that the proposed development would not damage or destroy features of interest. It is advised that it would be beneficial to local wildlife and the landscape character to have native planting around the horse manege, to be in keeping with the surrounding taller vegetation in terms of height and species mix. Condition 6 has already been recommended requiring a landscaping scheme be submitted for approval prior to the commencement of the development.

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 manage 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 and from north to south. 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. The change in levels would reduce the level of the land by 0.75m at the northern edge and increase the levels at the southern point. 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 Helmshore 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.

Applicant's response to objector

- Section plans has been submitted to show the proposed levels and extent of the cut and fill required to level the site on the north to south axis.
- Access is confirmed as pedestrian only, which is also a suitable width for a mini digger and delivery of materials;
- There is a permission for an entrance off Moor Road into the site, but this can only be implemented with the agreement of the residents of Higher Tops Farm. If this approved entrance is to be re-positioned, it would require the submission of another application.

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 manage would serve the existing stable block which is sited within the applicant's land and adjacent to the proposed manage. 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.
- The applicant has confirmed there would be no retaining walls, additional structures or engineering operations.
- The manege would be for the domestic use only by the applicant and in association with their own stables. It is not proposed for external uses by trainers/visitors. A condition the manege shall be used for domestic purposes only would be included a condition 7.
- For clarification, the proposed site plan does show the approved development for the erection of an agricultural store, yard and entrance to Moor Road reference 58146 see planning history), but which has not been implemented;
- The application does not propose access off Helmshore Road. condition 5 has been included to clarify this matter;
- How materials and deliveries are carried out would be a matter for the applicant.
 Should this require any use or land within the ownership of Higher Tops Farm, or contravene private deeds, this would be a private matter between the two residencies;
- The objector makes a number of references to the track/road which was constructed unlawfully by the applicant leading from Helmshore Road through the field to an area of hardstanding. The applicant sought to regularise the development which was refused and dismissed on appeal. Enforcement action was taken to have the access track removed and this has been completed. There is no outstanding Enforcement action on the site. if a track has been 'naturally created' by the constant use of running vehicles up and down the field, this again would not require permission.

- The formalisation of the access from Helmshore Road was also refused and dismissed at appeal. however, if the applicant chooses to use this access for any purposes, without the carrying out of any physical works to formalise the access, there would be no requirement for planning permission as the entrance has been historically used in the past by tractors and farm vehicles;
- The site would be 48m from the boundary of Higher tops farm and 55m from the property itself. Given the distance away it is considered there would not be a detrimental impact on their views or outlook;
- 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

- 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 01 revision 1; Cut and Fill CF 002 dated 19/6/2017; 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.

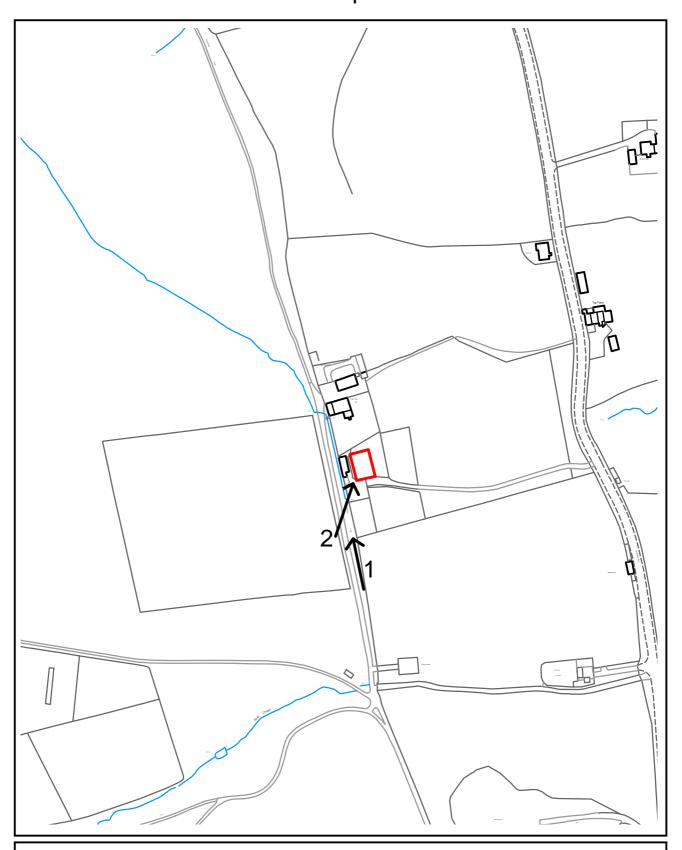
<u>Reason</u>. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 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. <u>Reason</u>: 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 Helmshore Road. <u>Reason</u>. 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.
- 7. The manege hereby permitted shall be used for domestic purposes only. It shall not be used in part or whole for any commercial livery, equestrian or other use. Reason: To protect the residential amenity of the nearby occupiers and restrict the intensity of the use of the manege and potential associated activity of the site pursuant to Policies H3/1 Assessing Non-Conforming Uses and OL4/7 Development Involving Horses of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61363

ADDRESS: Higher Tops Barn, Moor Road

Ramsbottom

Planning, Environmental and Regulatory Services

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Photo 1



Photo 2





Production Date: 07 Jun 2017

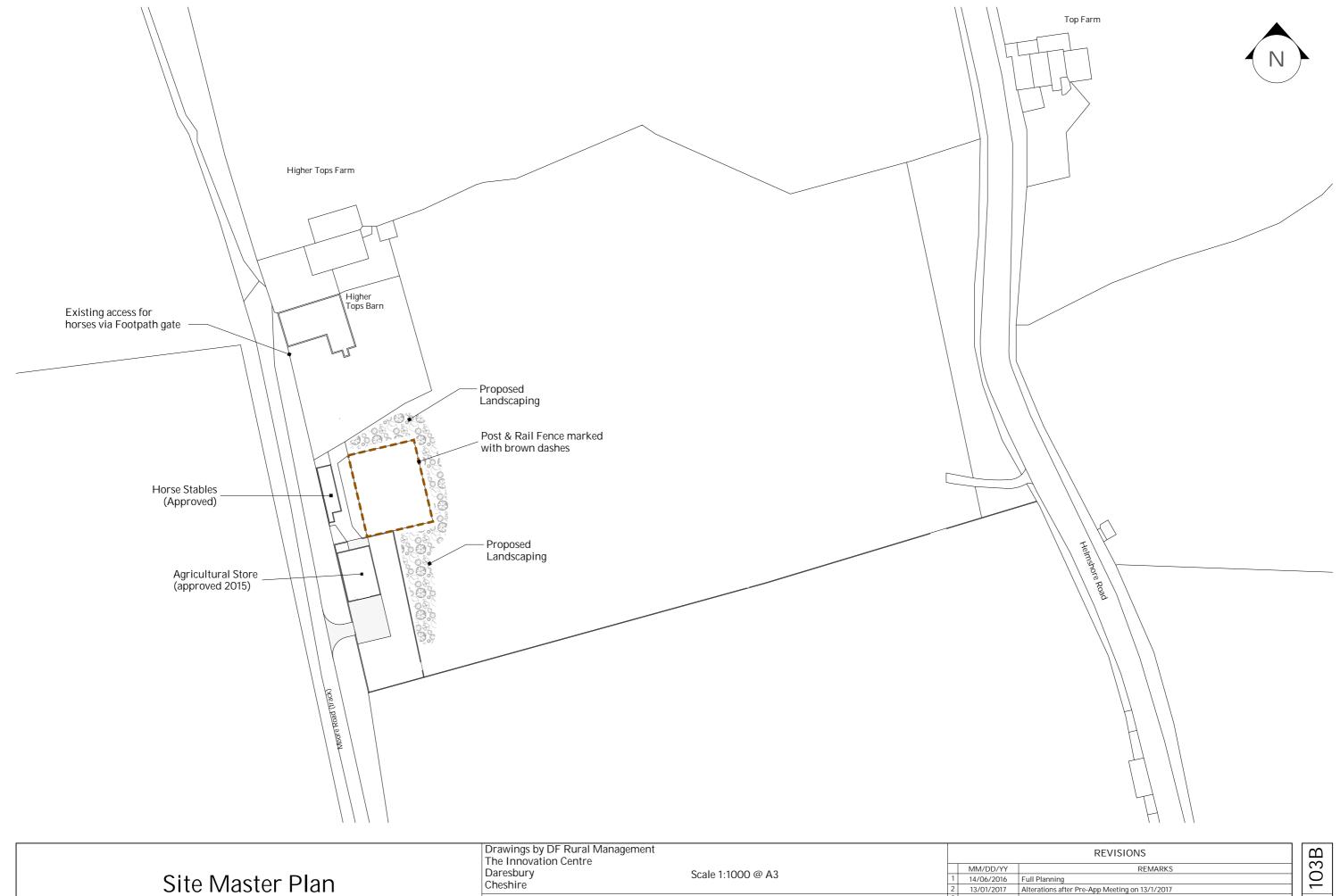
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Notes

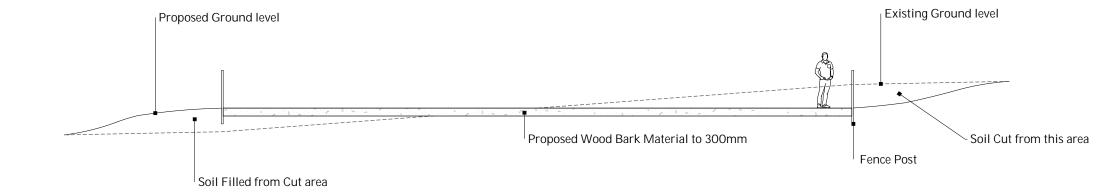


Site Master Plan

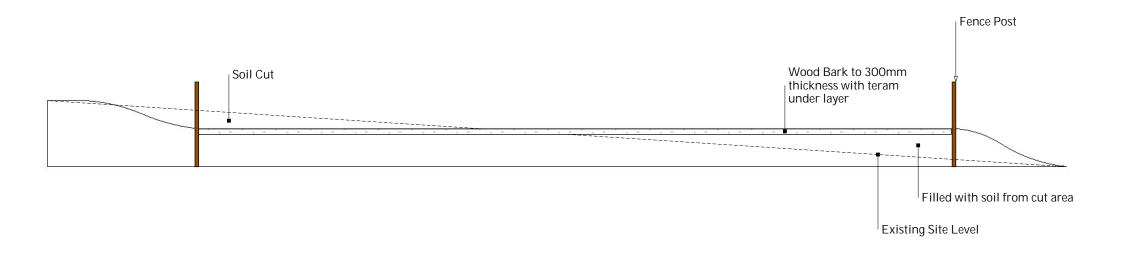
Drawings by DF Rural Management The Innovation Centre Daresbury Cheshire MM/DD/YY REMARKS Scale 1:1000 @ A3 Higher Tops Barn, Proposed Horse Paddock Surface

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South



		REVISIONS		
	Scale: 1:120 @ A4 (z)	MM/DD/YY REMARKS		
North /South Cut & Fill Diagram	Y	1 19/6/2017 Cut & Fill Diagram at Planning Officer request 2//		
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		REVISIONS		
	Scale 1:100	MM/DD/YY	REMARKS	
Cut & Fill Plan		1 26/5/2017	As requested by planning officer	
Cut & Fill Fiall		2//		
	Horse Mange, Higher Tops Barn, Moor Road	3//		
		4//		
		5 //		

Ward: Ramsbottom and Tottington - Item 07

Ramsbottom

Applicant: Euro Garages Ltd

Location: Ramsbottom Service Station, Stubbins Lane, Ramsbottom, Bury, BL0 0PU

Proposal: Redevelopment of existing petrol station including demolition of shop, car wash and

industrial building and erection of a retail unit (Class A1) and drive thru coffee shop

(Class A1), new car parking, site access and associated works

Application Ref: 61364/Full **Target Date**: 10/07/2017

Recommendation:

Description

The application relates to an existing petrol filling station and a adjacent builders yard on the east side of Stubbins Lane. The petrol filling station contains a shop (class A1) to the south of the site, a canopy over the petrol pumps, which is located centrally and a car wash building, which is to the east. The builders yard is located to the north and east of the existing petrol station site and contains an office building to the north and several containers to the east.

There are residential properties to the west (including both apartments and houses) which are directly opposite Stubbins Lane. There are commercial properties to the north and a Council owned swimming pool and fitness centre are located to the east, but at a lower level. Porritt Way (access road to the swimming pool) is located to the south with the former council yard beyond, which has recently been granted planning permission for residential accommodation with care.

The proposed development involves the demolition of the shop, car wash and industrial building and the erection of a retail unit (Class A1) and a drive thru coffee shop. The proposed shop would be located along the eastern boundary of the site and the coffee shop would be located to the north of the site. The proposed buildings would be single storey and would be constructed from composite cladding and roof panels. The petrol pumps and canopy would remain and parking would be provided to the west and to the front of the proposed coffee shop. The site would be accessed from Stubbins Lane via the existing accesses. The proposed retail unit and coffee shop would be open from 06.00 to 22.00 and the sale of petrol would be on a 24 hour basis.

Relevant Planning History

33699 - Retention of additional price facility bars fixed to existing identity sign at Ramsbottom Service Station, Stubbins Lane, Ramsbottom. Approved with conditions - 25 November 1997.

35483 - Use of land as builder's storage yard and siting of portacabin at land adjacent to Stubbins Lane, Ramsbottom. Approved with conditions - 9 July 1999

40245 - Erection of office building at 40 Stubbins Lane, Ramsbottom. Approved with conditions - 4 March 2003.

44990 - Internally illuminated fascia sign & poster signs for carwash at Ramsbottom Service Station, Stubbins Lane, Ramsbottom. Approved with conditions - 7 September 2005

48780 - Installation of freestanding atm cash machine and bollards at Ramsbottom Service Station, Stubbins Lane, Ramsbottom. Refused - 20 December 2007.

56382 - Variation of condition 3 of permission 25094 - to extend opening to 24 hours at Ramsbottom Service Station, Stubbins Lane, Ramsbottom:

Existing condition - Petrol filling station and associated activities hereby approved shall be closed between 22.00 hours and 07.00 hours every day.

Proposed condition - Between the hours of 23.00 - 07.00 there shall be no deliveries to the shop and the car wash/jet wash shall remain inoperative. Refused - 14 August 2013.

Adjacent site

59005 - Demolition of buildings and redevelopment for Use Class C2 residential accommodation with care comprising 57 apartments for persons aged 65 and over at land of Factory Street, Ramsbottom. Approved with conditions - 10 August 2016.

Enforcement

13/0088 - Breach of opening hours. Case closed - 23/09/2013

16/0473 - Breach of Condition - operating hours. Case closed - 10/01/2017

Publicity

The neighbouring properties were notified by means of a letter on 16 May 2017 and site notices were posted on 22 May 2017.

2 letters have been received from the occupiers of 25, 29 Stubbins Lane, which have raised the following issues:

- Do we need another coffee shop in Ramsbottom?
- Noise and traffic increase.
- If they gain planning permission, they will want to increase opening hours to 24 hrs to re-coup the cost of the works
- The surrounding area is not trade but community housing and apartments.
- The garage has worked outside of their allocated opening hours and it took months to resolve this problem.
- The applicant has not mentioned the previous refusals and the company's breach of planning.
- The convenience store is much larger than others in the local area, but has a lot less parking.
- The site is located outside a small town with little passing trade. It is not a motorway and residents don't want to see it turned into one.
- Ramsbottom is full of coffee shops and has 4 supermarkets. There is little need for this
 in an area opposite cottages, bringing noise, disruption with extra traffic and light
 pollution.
- What measures would be taken to prevent car headlights from disturbing residents.
- The venue would encourage anti-social behaviour.
- This type of development would be fine in the correct location, but it isn't in keeping with this quiet residential area.

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

Consultations

Traffic Section - No objections in principle. Further comments will be reported in the Supplementary Report.

Drainage Section - No response received.

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

Environmental Health - Pollution Control - No objections, subject to the inclusion of a condition relating to flues and odours.

Waste Management - No response received.

Environment Agency - No objections, subject to the inclusion of conditions relating to contaminated land and controlled waters.

Designforsecurity - Would like a Crime Impact Statement.

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

Electricity North West Ltd - No objections, subject to the inclusion of an informative relating to potential diversions.

GM Fire Service - No response received.

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to nesting birds and landscaping and an informative relating to bats.

Transport for Greater Manchester - No objections.

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EC2/2	Employment Land and Premises

EC6/1 New Business, Industrial and Commercial

EN1/2 Townscape and Built Design EN1/3 Landscaping Provision

EN1/5 Crime Prevention

EN1/7 Throughroutes and Gateways EN5/1 New Development and Flood Risk

EN6 Conservation of the Natural Environment

EN6/3 Features of Ecological Value

EN7 Pollution Control EN7/2 Noise Pollution

EN7/5 Waste Water Management

S2/1 All New Retail Proposals: Assessment Criteria

S2/6 Food and Drink

S4/4 Car Showrooms, Car Sales Areas and Petrol Filling Stns

HT2/4 Car Parking and New Development HT5/1 Access For Those with Special Needs

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 (Employment) - The site is located within the Employment Generating Area (EGA). Policy EC2/1 states that in the Employment Generating Areas (EGA), the Council will only allow development for the uses specified (Classes B1, B2, B8 and leisure and tourism uses). Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an EGA.

The proposed development seeks to redevelop the existing petrol filling station and would include an area of land, which was last used for employment purposes. The majority of the site is already in use as a petrol filling station with an associated shop. The total area of the EGA is 14.5 hectares and the proposed development would involve the redevelopment of 1,386 square metres of employment land. As the majority of the site is currently in use as a petrol filling station, it is considered that the proposed development would constitute limited development and would not detract form the area's value as an EGA. Therefore, the proposed development would be in accordance with Policy EC2/1 of the Bury Unitary

Development Plan.

Principle (Retail) - The application site is currently used as a petrol filling station with a retail shop of 181 square metres. Therefore, the proposed retail unit would be 300 square metres larger than the previous retail unit and 190 square metres for the proposed coffee shop needs to be fully assessed against the policies of the UDP and NPPF. The site lies 300 metres from the northern boundary of Ramsbottom town centre and for the purposes of the retail element of the proposal, should be regarded as an edge-of-centre location.

Paragraph 24 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses (including retail) that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

Policy S4/4 states that car showrooms, car sales areas and petrol filling stations should be located within or adjoining established shopping areas, along classified roads or within industrial and commercial areas within the Borough. Proposals should also take account of the following factors:

- potential disruption to the free flow of traffic;
- the provision of adequate, well laid out car parking and display facilities together with safe and convenient arrangements for access, circulation and egress;
- road safety and the safety of pedestrians;
- the amenity of nearby residents and businesses.

The proposed development would retain the petrol filling station along a classified road, which is within an industrial area (EGA). The remaining issues of car parking, traffic flow, road safety, pedestrian safety and the impact upon amenity of residents will be addressed later.

The proposed development would provide a larger retail unit (Class A1) and a second unit for use as a coffee shop (Class A1). The applicant is preparing a sequential test assessment and further comments will be reported in the Supplementary Report.

Design and layout - The application site is not located within the Ramsbottom Conservation Area. The proposed retail building would be located on the site of the existing retail unit and would be single storey with a mono pitch roof. The proposed design is simple and modest in appearance. The proposed retail building would be constructed from timber boarding and composite panels, which are considered to be appropriate. The northern elevation would be predominantly glazed, which would provide an active frontage.

The proposed coffee shop building would be located on the site of the existing car wash. The proposed building would be single storey with a monopitch roof and would be constructed from grey composite panels, which would complement the proposed retail building. Visual interest would be added to the elevations by the addition of three large glazed areas to the western and southern elevation and windows below the roof. The proposed glazing would also secure an active frontage to the proposed building. As such, the proposed development would be appropriate in terms of height, scale and form and would not be a prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policies EN1/2 and S4/4 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 a minimum of 30 metres between the front elevation of the residential properties and separated by Stubbins Lane. There would be a blank gable elevation of the proposed retail unit facing Stubbins Lane.

There would be a minimum of 56 metres between the residential properties on Stubbins Lane and the front elevation of the proposed coffee shop.

There would be 60 metres between the apartment building on Stubbins Lane and the proposed coffee shop.

All of these distances would be in excess of the 20 metre aspect standards and as such, the proposed buildings within the development would not have an adverse impact upon the amenity of the neighbouring properties with regard to privacy and loss of daylight. The issue of noise will be addressed later in the report.

Ecology - The proposed development involves the demolition of the existing retail unit, car wash and industrial building and as such, a bat assessment was submitted with the application. The survey found no evidence of bats and assessed all buildings and trees as having negligible bat roosting potential. GM Ecology Unit has no objections, subject to the inclusion of conditions relating to nesting birds and landscaping and an informative relating to bats. There are a number of mature trees around the perimeter of the site and none of these are required to be removed as part of the proposed development. As such, a condition relating to tree protection measures would be included. Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Noise - The proposed development would redevelop the site and would provide a large retail unit in broadly the same position, a proposed coffee shop towards the rear of the site and the sale of petrol on a 24 hour basis.

The proposed coffee shop and retail unit would be open between the hours of 06.00 and 22.00 and a condition would be added to ensure that the proposed buildings would be closed to customers outside of these hours and to control deliveries to the site. The proposed petrol filling station would be open on a 24 hour basis and following the closure of the shop, fuel would be payed for via the night service window. The proposed development would not generate any more noise than the current use of the site. The Pollution Control Section has no objections, subject to the inclusion of conditions relating to flues and odours. Therefore, the proposed development, subject to conditional control of the opening and delivery 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 development would be accessed via the two existing access points off Stubbins Lane, which have adequate levels of visibility. The petrol pumps would remain in their current position. Transport for Greater Manchester has no objections to the proposed development. The Traffic Section has no objections in principle and further comments, including conditions, will be reported in the supplementary report.

Parking - SPD11 states that the maximum parking standards for an A1 retail use would be 1 space per 25 square metres, which would equate to 19.6 spaces.

The proposed development would provide 20 spaces, including 2 disabled parking bays, which would comply with the maximum parking standards. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The issues relating to traffic, noise, retail, hours of opening and parking have been addressed in the main report.
- The need for the development is not a material planning consideration and cannot be

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:

Conditions/ Reasons

- 1. The development must be begun not later than three years beginning with the date of this permission.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- This decision relates to drawings numbered 170118_PL1A, 170118_PL2A, 170118_PL3C, 170118_PL4B, 170118_PL5A, 170118_PL6A, 170118_PL7A, 170118_PL8A, 170118_PL9A, 170118_PL10A, 170118_PL11, EG046/TOO, 3637 02 A and the development shall not be carried out except in accordance with the drawings hereby approved.
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
 - <u>Reason</u>. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
- 4. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

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

submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

6. Following the provisions of Condition 4 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.

<u>Reason</u>. 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.

- 7. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation has been provided and approved in writing by the Local Planning Auhtority that no active bird nests are present.

 Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 Conservation of the Natural Environment and EN6/3 Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 Conserving and enhancing the natural environment.
- 8. A landscape management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The landscaping plan should include elements to mitigate for loss of trees, shrubs and bird nesting habitat. The approved plan shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

<u>Reason</u>. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

EN8/2 – Woodland and Tree Planting

Policy EN6/3 - Features of ecological value.

9. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

<u>Reason</u>. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

10. Foul and surface water shall be drained on separate systems.

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

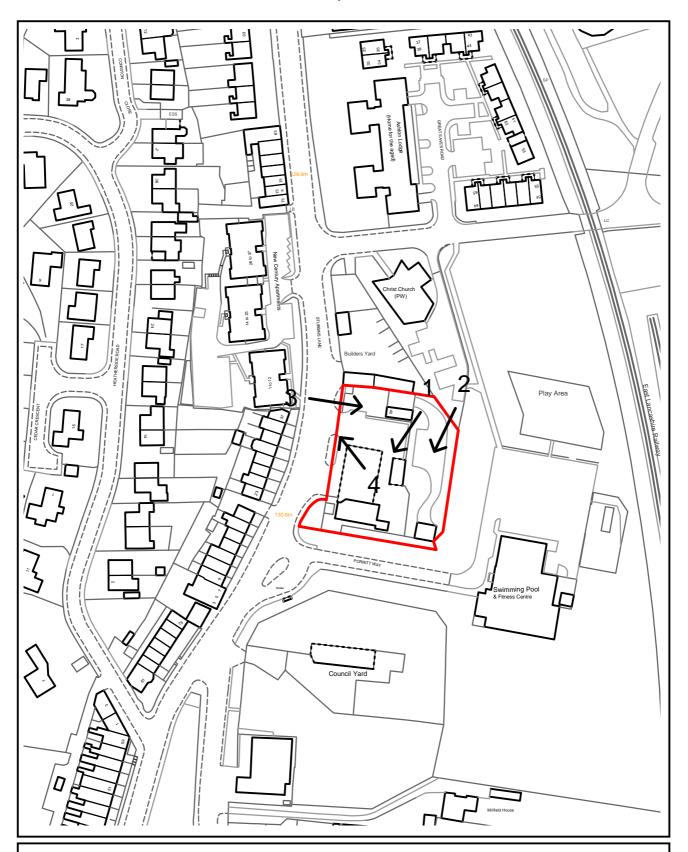
- 11. No development shall commence unless or until details of a scheme for the disposal of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The proposed scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance 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.
- 12. The retail nuit (Class A1) and coffee shop (Class A1) hereby permitted shall not be open to customers outside the following times: 06.00hrs to 22.00hrs daily.

 <u>Reason</u>. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/5 New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 Food and Drink of the Bury Unitary Development Plan.
- Deliveries to the site shall only take place between 08.00 and 20.00 on Mondays to Saturdays.
 Reason. In the interests of residential amenity pursuant to Policy S4/4 Car Showrooms, Car Sales Areas and Petrol Filling Stations 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 61364

ADDRESS: Ramsbottom Service Station

Stubbins Lane, Ramsbottom

Planning, Environmental and Regulatory Services

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





61364

Photo 1



Photo 2



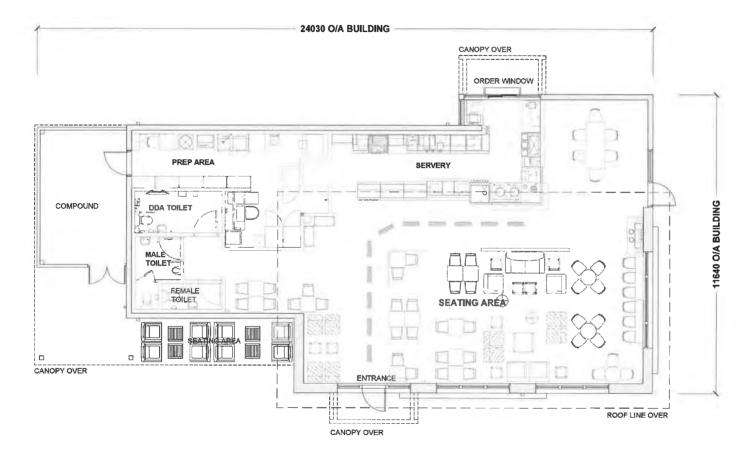
Photo 3



Photo 4







DRIVE THRU COFFEE SHOP BUILDING PLAN

- NOTE:

 This dawing has been prepared by Jennings Design Ltd no behalf of Dunifor submission and approved under Erom and Consbyr Rememby style.

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PI	PLANNING DRAWINGS					
	170118_PL1 -	EXISTING SITE PLAN				
	170118_PL2 -	EXISTING SITE ELEVATIONS				
	170118 PL3 -	PROPOSED SITE PLAN				
	170118 PL4 -	PROPOSED SITE ELEVATIONS				
	170116 PLS -	PROPOSED COFFEE SHOP BUILDING PLAN				
	170118 PLS -	PROPOSED COFFEE SHOP BUILDING ROOF PLA				
	170118_PL7 -	PROPOSED COFFEE SHOP BUILDING ELEVATION				
	170118 PLB .	PROPOSED COFFEE SHOP BUILDING ELEVATION				
	170118 PLP -	PROPOSED PES BUILDING ELEVATIONS				
	170116_PL10 -	PROPOSED PFS BUILDING ELEVATIONS				
	170118 PL11 -	PROPOSED PES BUILDING FLOOR & BOOF PLAN				

A	APR'17	Planning drawings notes added to
Rev	Date	Comments
STAT	us	PLANNING
PROF	POSAL	Proposed New Coffee Shop & PFS Redevelopment
SITE LOCA	TION	RAMSBOTTOM SERVICE STATION Stubbins Lane Bury BLO OPU
TITLE		PROPSOED COFFEE SHOP BUILDING PLAN

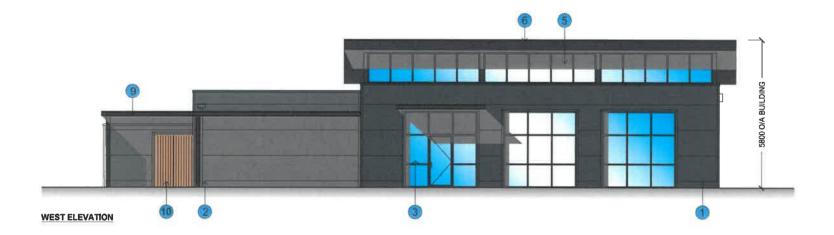


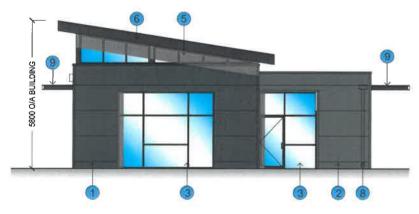
JENNINGS DESIGN LIMITED

York House, Valley Court, Canal Road, Bradford, West Yorkshire, BD1 4SP.

TEL. No. 01274 395422 FAX, No. 01274 395427 E-mail office@jen305.com

Drawn by: WW	Checked by: NJJ
Date: March '17	Scales: 1:50 @ A1
PLAN NO.	170118_PL5A
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	CALE - METRES





SOUTH ELEVATION

NOTE

- This drawing has been prepared by Jennings Design Ltd on behalf of Baro Garages, for submission and approval under Town and Country Planning only,
- Advertisament Regulations.
- This strawing is subject to copyright fews 8 is for use on this project on?
- All landscaped areks will be subject to a separate Landscape Appl

KEY OF MATERIALS

- Composite insulated chadding panels finished Anthracile Grey (RAL, 7)
- 2. Composite insulated cledding punels traited Media Grey (BS18921)
- Aluminium tramed and glazest screens with menual entrance door (DDA level threshold) Frames Inished Mutt Black, Clear Glazing.
- threshold) Finnes linkshed Mett Black, Clear Glazing.

 4. Manus By operated sticking drive thru' collection window, framed finished Mett Black, Clear glazing.
- High level windows providing light through to Stanbucks internal souting area (no internal college France Instited Matt Black, Clear glazing.
- 6. Fish sluminium soffits and fascius finished Mais Stack
- 7. Kingspan Trepezoldel KS1000 RW composite insulated roof penels
- Reinwater downplace and hoppers edicur coded to sheet
- Steel canopies trivined to the underside with coder plants and above with 0.7m Steeling Seam Aduminum sheets, Seekeak to face left exposed and painted it library. Diffe colleges on a service year reset leading area.
- 10. Solid core timber sied gales for removal of large waste bins averded with codes

LANNING DRAWINGS

-	CAMMING DIO	MINUS
	170118 PL1 +	EXISTING SITE PLAN
	170118_PL2 -	EXISTING SITE ELEVATIONS
	170118, PL3 -	PROPOSED SITE PLAN
	170118_PL4 -	PROPOSED SITE ELEVATIONS
	170118 PL5 -	PROPOSED COFFEE SHOP BUILDING PLAN
	170118 PLG -	PROPOSED COFFEE SHOP BUILDING ROOF PI
	170118_PL7 -	PROPOSED COFFEE SHOP BUILDING ELEVATI
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 170118_PL9 - PROPOSED PER BUILDING ELEVATIONS
 170118_PL10 - PROPOSED PER BUILDING ELEVATIONS
 170118_PL10 - PROPOSED PER BUILDING ELEVATIONS
 PROPOSED PER BUILDING PLOOR & ROOF PLANS

A	APR'17	Planning drawings notes edded to
Rev	Date	Comments
STAT	us	PLANNING
FROI	POSAL	Proposed New Coffee Shop & PFS Redevelopment
FOCA	TION	RAMSBOTTOM SERVICE STATION Stubbins Lane Bury BLD DPU
TITLE		PROPSOED COFFEE SHOP BUILDING ELEVATIONS
		SHEET 1



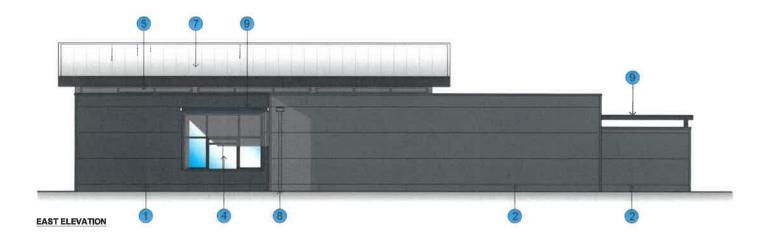
JENNINGS DESIGN LIMITED

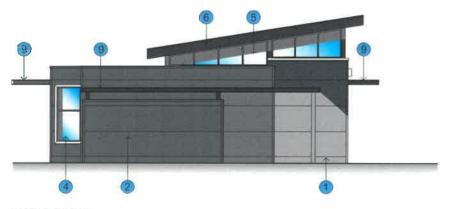
York House, Valley Court, Canal Road, Bradford, West Yorkshire, BD1 4SP.

Bradford, West Yorkshire, BD TEL. No. 01274 395422 FAX. No. 01274 395427 E-mail office@jen305.com

Drawn by: WW	Che	cked by: NJJ
Date: Marc	n '17 Scal	es: 1:50 @ A1
PLAN NO.	170118_PL	7A
0 1		
	SCALE - MET	200

A1 ORIGINAL PLOT SEZE





NORTH ELEVATION

- NOTE:

 This devirely has been proposed by Asserings Design Ltd on behalf of Euro Georges for submission and approved under Town and Country Remains only.

 It allows the submission of the case subject to a servenia subject and subj

KEY OF MATERIALS

- 1, Composite Insulated cladding panels finished Anthropite Grey (RAL 7016)
- 2. Composite insulated deciding carely finished Medin Grey (BE15821)
- Manually operated sliding drive thru' collection window, then Clear glazing.
- 8. Flat abminium softin and feeding finished Melt Black
- 7. Kinstoon Trapezoldel KS1000 RW composite insafeted roof panel
- Steel canopies Enighed to the underside with coder plants and above with Q.Yerm Standing Gears Abministran sheets. Si selvents to face left exposed and painted Medi Black, Otto columns to canopy over seeling area.
- 10. Solid york timber clad gates for removal of farga waste bins overclad with cade:



PL	ANNING DRAY	VINGS
	170118_PL1 -	EXISTING SITE PLAN
۰	170118_PL2 +	EXISTING SITE ELEVATIONS
	170118 PL3 -	PROPOSED SITE PLAN
٠	170118_FL4 -	PROPOSED SITE ELEVATIONS
	170118 PLS -	PROPOSED COFFEE SHOP SUILDING PLAN
	170118 PLE -	PROPOSED COFFEE 8HOP BUILDING ROOF PLAN
	170118 PL7 -	PROPOSED COFFEE SHOP BUILDING ELEVATIONS
٠	170118 PL8 -	PROPOSED COFFEE SHOP BUILDING ELEVATIONS
	170118 PLS -	PROPOSED PER BUILDING FLEVATIONA
	170118_PL10-	PROPOSED PER BUILDING ELEVATIONS
	170118 PL11-	PROPOSED PFS EUILDING FLOOR & ROOF PLANS

A	APR'17	Planning drawings notes added to
Rev	Date	Comments
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SITE LOCAT	ION	RAMSBOTTOM SERVICE STATION Stubbins Lane Bury BLO DPU
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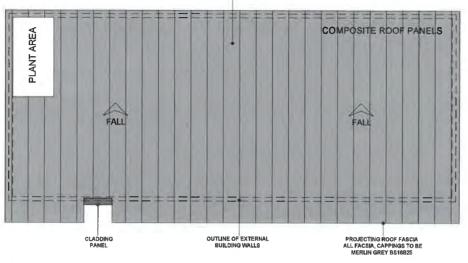
JENNINGS DESIGN LIMITED

York House, Valley Court, Canal Road, Bradford, West Yorkshire, BD1 4SP.

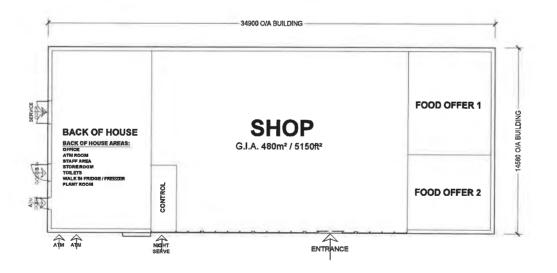
TEL. No. 01274 395422 FAX. No. 01274 395427 E-mail office@jen305.com

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MONOPITCH ROOF LAID FROM FRONT TO BACK AT APPROX 5" FORMED USING KINGSPAN INSULATED COMPOSITE ROOF PANELS - KS1000RW COLOUR MERLIN GREY RAL 18825



PFS BUILDING ROOF PLAN



PFS BUILDING FLOOR PLAN

NOTE:
This deaths has been proported by Jerningth Design List on brokel of the General for Minimizer and September 1 and Septe

PLANNING DRAVINGS

٠	170116_PL1 -	EXISTING OFFE PLAN
٠	170118_PL2 -	EXISTING SITE ELEVATIONS
٠	170116 PL3 -	PROPOSED SITE PLAN
٠	170118 PL4 -	PROPOSED SITE ELEVATIONS
٠	170116_PL5 •	PROPOSEO COFFEE SHOP BUILDING PLAN
٠	170118_PL6 -	PROPOSED COFFEE SHOP BUILDING ROOF PLAN
٠	170116 PL7 -	PROPOSED COFFEE SHOP BUILDING ELEVATION
٠	170118_PL8 -	PROPOSED COFFEE SHOP BUILDING ELEVATION
٠	170116 PL9 -	PROPOSED PFS BUILDING ELEVATIONS
٠	170118_PL10-	PROPOSED PF8 BUILDING ELEVATIONS
٠	170116 PL11 -	PROPOSED PFS BUILDING FLOOR & ROOF PLANS

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PROPOSAL SITE LOCATION		Proposed New Coffee Shop & PFS Redevelopmen	
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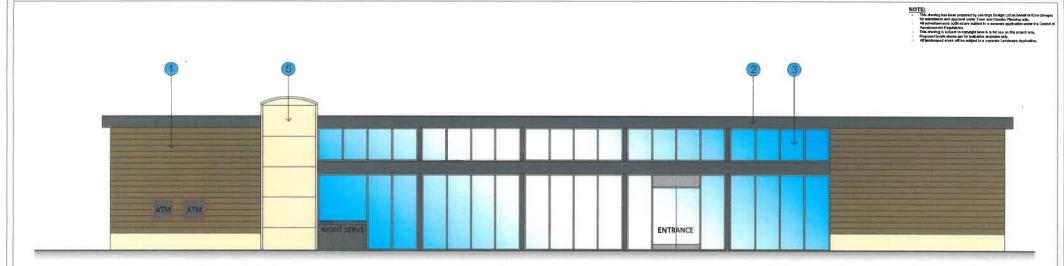


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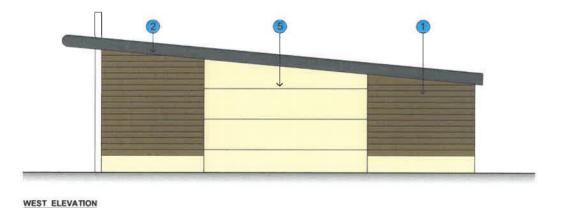
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TEL. No. 01274 395422 FAX. No. 01274 395427 E-mail office@jen305.com

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NORTH ELEVATION



KEY OF MATERIALS

- 1, Cementious boarding in antelope BS08B21
- 2. Composite Fascia, capping Mertin grey B\$18B25
- Aluminium fremed and glazed screens with manual entrance door (DDA level threshold) Frames finished Matt Black, Clear Glazing.
- Kingspan Trapezoidal KS1000 RW composite insulated roof panels.
- 5. Isoclad composite panel in honesty BS10C31
- 6, F.P.C Louvre panel, Finished to be confirmed

PLANNING DRAWINGS

	170118_PL2 -	EXISTING SITE ELEVATIONS
	170118_PL3 -	PROPOSED SITE PLAN
	170118_PL4 -	PROPOSED SITE ELEVATIONS
	170118_PL5 -	PROPUSED COFFEE SHOP BUILDING PLAN
	170118 PL6 -	PROPOSED COFFEE SHOP BUILDING ROOF PLAN
	170118_PL7 -	PROPOSED COFFEE SHIP BUILDING ELEVATION
	170118 PLS -	PROPOSED COFFEE SHOP BUILDING ELEVATION
	170118_PL9 -	PROPOSED PRE BUILDING ELEVATIONS
	170118 PLIO-	PROPOSED PFS BUILDING ELEVATIONS
	170118_PL11 -	PROPOSED PFS BUILDING FLOOR & ROOF PLANS

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Rev	Date	Comments	
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PROPOSAL SITE LOCATION TITLE		Proposed New Coffee Shop & PFS Redevelopment	
		RAMSBOTTOM SERVICE STATION	
		Stubbins Lane Bury BLO OPU	
		PROPSOED PFS BUILDING ELEVATIONS	
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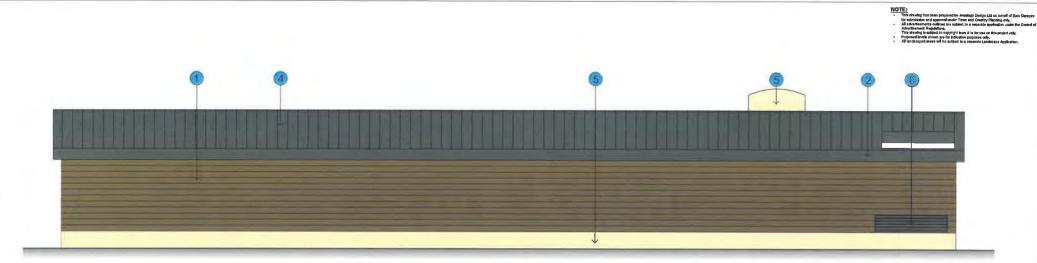
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A1 ORIGINA



SOUTH ELEVATION



EAST ELEVATION

KEY OF MATERIALS

- 1. Cementious boarding in antelope BS08B21
- 2. Composite Fascia, capping Merlin grey BS18B25
- Aluminium framed and glazed screens with markel entrance door (DDA level threshold) Frames finished Matt Black, Clear Glazing.
- Kingspan Trapezoldai KS1000 RW composite insulated roof panels.
- 5. (socked composite panel in honesty BS10C31
- 6. P.P.C Louvre panel, Finished to be confirmed

PLANNING DRAWINGS

170116 PL1 -	EXISTING BITE PLAN
170116_PL2 -	EXISTING DITE ELEVATIONS
170118 PL3 -	PROPOSED SITE PLAN
170118 PL4 -	PROPOSED SITE ELEVATIONS
170118_PLS -	PROPOSED COFFEE SHOP BUILDING PLAN
170118 PL6 -	PROPOSED COFFEE SHOP BUILDING ROOF PLAN
170118 PL7 -	PROPOSED COFFEE SHCP BUILDING ITLEVATIONS
170118_PL8 -	PROPOBED COFFEE SHOP BUILDING ELEVATIONS
 170118_PL9 -	PROPOSED PFS BUILDING ELEVATIONS
170118_PL10-	PROPOSED PFS BUILDING ELEVATIONS
170118_PL11 -	PROPOSED PFS BUILDING FLOOR & ROOF PLANS

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PROPOSAL		Proposed New Coffee Shop & PFS Redevelopment
SITÉ LOCATION		RAMSBOTTOM SERVICE STATION Stubbins Lane Bury BLD QPU
TITLE		PROPSOED PFS BUILDING ELEVATIONS
		SHEET 2



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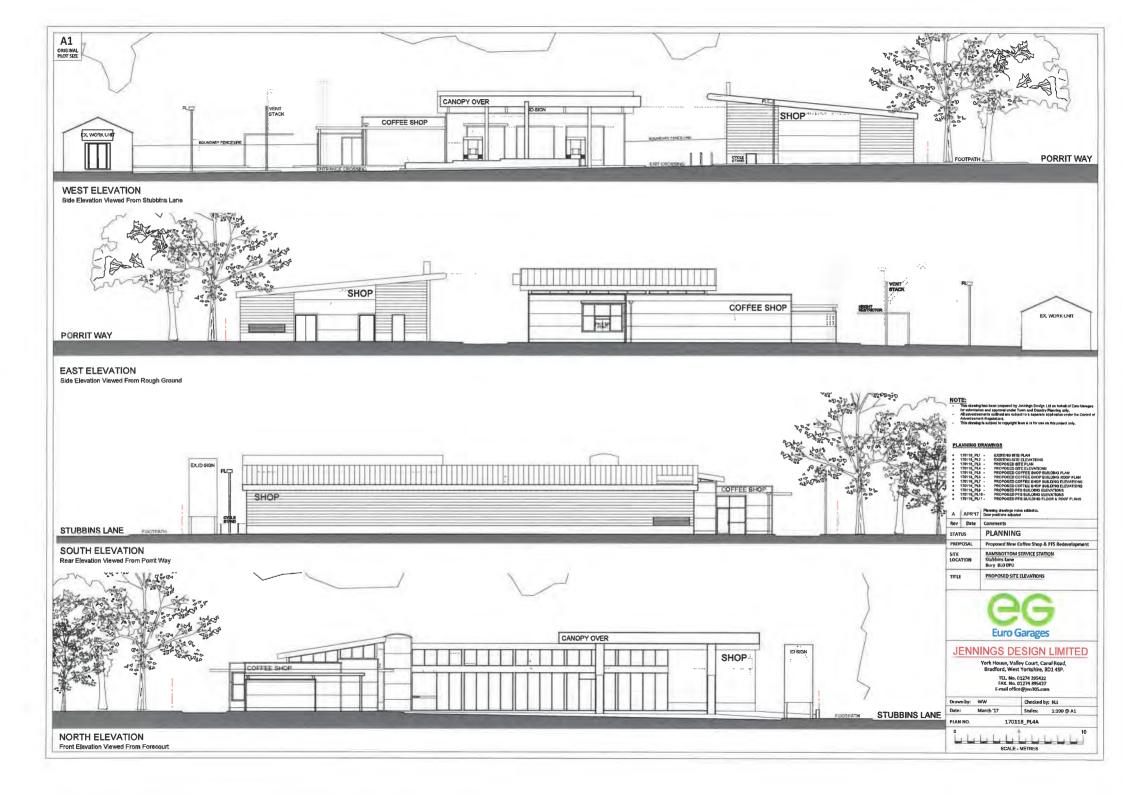
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A1 ORIGINAL PLOT SIZE



Ward: Ramsbottom and Tottington - Item 08

Ramsbottom

Applicant: Linzi Wood Ltd

Location: Flat above 45 Bridge Street, Ramsbottom, Bury, BL0 9AD

Proposal: Change of use from dwelling (Class C3) (flat above ground floor cafe) to a sewing

and crafts teaching centre (Class D1): Change upvc window frame at front to

traditional white sash style

Application Ref: 61502/Full **Target Date:** 17/07/2017

Recommendation: Approve with Conditions

Description

An application for the change of use of a single first floor flat above the ground floor cafe at 45 Bridge Street in Ramsbottom town centre, to a sewing and crafts teaching centre (Class D1) and replacement upvc window frame at the front to traditional white sash style. The total amount of floorspace involved is 50m2 (square metres). The application site is within Ramsbottom Conservation Area.

The proposed use is a business providing lessons in sewing and crafts. The business has been operating for three years from rented commercial accommodation on Silver Street Ramsbottom. Current commercial rent is putting at risk the viability of the business and applicant is looking to purchase accommodation in the town centre to secure the future of the business. Four part-time staff would be employed.

Proposed hours of operation are Monday to Friday 10:00 to 21:00, Saturday 10:00 to 16:00 and Sundays and Bank Holidays 11:00 to 15:00.

Apart from the replacement front window there is no other operational development proposed.

The flat has been vacant for over 12 months and has been actively marketed during that time with two different agents. During that period there has only been two expressions of interest. This has been confirmed with the agents concerned.

Access to the flat is through a rear door entrance at ground floor level via an internal staircase. It is not proposed to alter this access.

Relevant Planning History

61503 - Installation of 1 no. non-illuminated hanging sign at front -

59788 - Prior approval for proposed change of use from shop (A1) to cafe/restaurant (A3) - AC 19 April 2017.

Publicity

Notification letters were sent on the 22 May 2017 to 41, 43, 45, 47, 49, 68, 70, 72, 74 Bridge Street; Flat above 45 Bridge Street; 2-4 Paradise Street and on the 24 May to the following addresses where objections were received on the previous application 59788 for the change of use of the ground floor from a shop to a cafe which was given consent by the Planning Control Committee on the 19 April 2016; 126 Nuttall Lane, Bury Road, 4 Winifred Street, 5 Hectare Road, Darwin, 11 Springside Road, 38 Pickering Close, 114 Mercer Crescent, Ewood Bridge Rossendale, 114 Scobell Street, 95 Manchester Road, Haslingdon,

Apartment 402 Ilex Mill Bacup Road, 36 Market Place.

An Amended Notification Letter on the 21 June 2017 amending the description to a change of use to a sewing and crafts teaching centre (Class D1).

Site Notice posted on 8 June 2017.

Press notice published in the Bury Times on 1 June 2017.

One letter of objection has been received from 36 Market Place and is summarised as follows:-

- Not enough housing
- There are empty commercial/business properties
- This application sounds like it is for a workshop
- Dispute it has been vacant long term

Nine letters of support have been received from addresses on Bridge Street, Bury Road, Springside Road, Rochdale Road, Poplar Grove, Victoria Street, Henwick Hall Avenue x2, Rose Hill and in summary are:-

- A good idea
- · Keep a local business in the area
- · Not originally built as a residential dwelling
- New housing underway nearby will provide more suitable housing
- More likely to be occupied long term as a commercial premises
- Would be part of the local community
- The business would struggle to survive unless it can find a new and permanent home
- Brings people from surrounding areas to it classes and this can only be positive for Rams bottom's financial development.
- Is an asset to the community
- Unique and creative business
- Sash window will help renovate and be in keeping with the high street

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

Consultations

Traffic Section - No objection Environmental Health - Commercial Section - No objection received Planning Policy - No objection

Unitary Development Plan and Policies

EC4/1 Small Businesses
HT2/4 Car Parking and New Development
EN2/1 Character of Conservation Areas
EN2/2 Conservation Area Control

EN1/1 Visual Amenity TC2/1 Upper Floors

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 - Adopted Unitary Development Plan policy EC4/1- Small Businesses states proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan. Town Centre Upper Floors policy TC2/1 wants upper floors occupied.

The National Planning Policy Framework (NPPF) - Sustainability - At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Use - The proposed development would comply with the criteria above in that it would not be detrimental to the environment of the surrounding area by virtue of the nature and scale of the proposed use. The proposed use would not conflict with other policies and proposals of the Plan. The proposed development is also considered to be sustainable development by virtue of its location in the town centre. As such the proposal would comply with adopted UDP policy EC4/1 - Small Businesses.

Loss of Residential Unit - UDP policy TC2/1 - Upper Floors states within town centres the Council will support proposals which bring underused and vacant space on upper floors of premises into beneficial use.

The unit has been vacant for over 12 months and has been unsuccessfully marketed as a residential unit. Furthermore the upper floors on Bridge Street were not originally in use as separate residential units. The proposal would bring the unit back into use helping to retain and improve the vitality and viability of the town centre and offering a better chance of long term occupancy. As such it is considered the loss of the residential unit is acceptable and as such the proposal would comply with adopted UDP policy TC2/1 - Upper Floors.

Residential Amenity - Although in a predominantly non-residential town centre location, the application site does have a some nearby residential properties at Crow Lane and above some of the shops on Bridge Street. The scale and level of activity of the proposed use would not create any further noise or disturbance than may already be created by the activity of the existing use as a residential dwelling and as such it is not considered the proposal would have a detrimental impact on residential amenity. Therefore it is considered appropriate not to impose hours of operation. As such the proposal would comply with UDP Policy EC4/1 - Small Businesses.

Conservation Area - The proposed change of use will promote the vitality and viability of the town centre. As such making it more viable and therefore more sustainable would protect the longevity of building, so preserving and enhancing the conservation area. As such the proposal complies with adopted Bury UDP Policies - EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control. These policies are also in alignment with paragraph 131 of the NPPF which in broad terms states that in determining planning applications LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.

Parking - Adopted Supplementary Planning Document 11 - Parking Standards in Bury suggests a Class D1 use for education or training should provide 2 parking spaces for the number of staff to be employed. The proposal provides no off-street parking and as a town centre location there is parking available and the application site is on a bus route and it is considered that not all visitors would arrive by private car. As such this would comply with Objective A of SPD 11 to encourage the use of more environmentally friendly and

sustainable modes of transport as well as being a development catering for local needs. The proposal therefore compiles with UDP Policy HT2/4 - Parking and New Development and Supplementary Guidance Note 11 relating to parking.

Bin Storage and Servicing - The proposed change of use would be serviced the same as the existing use and the other premises within the row. The existing bins will be used and emptied in accordance with the Councils' waste collection service. As such, it is considered that the proposed waste control would be sufficient to comply with the requirements of UDP policy EC4/1 - Small Businesses with regard to waste and servicing.

Replacement Window - The replacement window to the front elevation is considered acceptable in that it is a traditional sash design coloured white, matching many windows in the row of similar design and it would replace a window of a more modern design. The window it is replacing is made from upvc and as such a upvc replacement is acceptable. The proposed replacement window would be not be visually intrusive or a discordant feature in the street scene or the Conservation Area as a whole. As such the replacement window would not lead to the erosion of the special heritage and architectural value of the Conservation Area or conflict with the aims of the Ramsbottom Conservation Area - Appraisal and Management Plan. The replacement window would comply with UDP policies EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and EN1/1 - Visual Amenity.

With regard to NPPF it is considered paragraph 14 - the "golden thread of sustainability" - the presumption in favour of sustainable development unless material considerations indicate otherwise, is relevant here. Given its location on a bus route, nearby car parking the proposed change of use would be sustainable development and the analysis of the other material considerations listed above it would not indicate otherwise. As such the proposed change of use would comply with paragraph 14 of the NPPF.

Response to Objector -

- The application is not for a change of use to a manufacturing workshop, it is for teaching sewing and crafts.
- Empty commercial premises do not preclude the use of other types of premises if they are appropriate.
- Housing supply is not the subject of this application

The other issue has been addressed in the main report above.

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.

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

For further information on the application please contact Mark Kilby on 0161 253 7639

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61502

ADDRESS: Flat above 45 Bridge Street

Ramsbottom

Planning, Environmental and Regulatory Services

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61502



Photo 2



Proposed replacement window at Flat above 45 Bridge St BLO 9AD In keeping with neighbours traditional style, 'white sash'



Existing window

45 Bridge St



Ward: North Manor Item 09

Applicant: Mrs Anna Warrington

Location: 13 Brandlesholme Road, Tottington, Bury, BL8 4DR

Proposal: Change of use from shop (Class A1) to cafe (Class A3); New shop front and

formation of outside seating area at front

Application Ref: 61530/Full **Target Date**: 13/07/2017

Recommendation: Approve with Conditions

Description

The application relates to a vacant shop unit at the end of a row of terraced two storey houses on the north side of Brandlesholme Road. The red brick two storey property is within a Neighbourhood Shopping Centre with a doctor's surgery on the west side and residential properties to the north/rear as well as the east side. Across Brandlesholme Road to the south is an entrance to Kirklees Trail.

The proposal is to change the use of the ground floor of the building (54sqm) to a cafe. The public seating area would be situated towards the front with a small kitchen and toilet at the rear. There would be outdoor seating on the small forecourt at the front. Hours of opening are proposed as 8.30am - 4.30pm Monday to Friday, 10am - 3pm Saturday and Sunday. The applicant states that there is no need for a new flue to disperse cooking fumes/odours as most of the food would be cold and the existing flue on the rear elevation is adequate.

Relevant Planning History

None relevant.

Publicity

The following seventeen neighbours were notified by letter dated 19/05/17. The Old School, Health Centre and Nos.9-30(even) Brandlesholme Road, 1 and 3 Old Green.

Seven representations objecting to the proposal received from 11, 15, 17 and 19 Brandlesholme Road and 1 and 7 Old Green. Concerns are summarised below:

- The parking on Brandlesholme Road is a problem, with local residents not being able to park anywhere near the vicinity of their own property. At times emergency vehicles have struggled navigating the parked cars whilst responding to emergency calls from the medical centre. The proposal will create considerably more traffic thus compounding the matter further.
- Pedestrians safety would be put at risk as they try to cross the busy road with the parked cars.
- We don't want people drinking alcohol inside or outside. There is a pub nearby for that.
- Cooking food on the premises will smell and impact on neighbours sitting outside.
- The "supporters" don't live anywhere near here and possibly friends/family of the applicant!

Eight representations supporting to the proposal received from residents of 33 Kendal Rd West, 16 Bankfield Close, 53 Woodhill Road, 26 Ainsdale Avenue, 2 Springfield Road, 9 Crossfield Avenue, 1 Rowlands Road and 14 Grassington Drive.

Tottington Civic Society supports the idea of a cafe/tearoom at the premises, stating it would

be of benefit to the local community and to the many walkers and cyclists who use the Kirklees Trail up to Greenmount. Reservations have been expressed by people and it is stated that there may be a covenant which aims to prevent its use as for hot food take away and the Society agree with those sentiments. It is not felt that a licence for the sale of alcohol would be appropriate. There are already two licensed premises in the village one of which serves all-day meals.

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

Consultations

Traffic Section - No objection.
Environmental Health - No objection.
Waste Management - No objection.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
S1/5	Neighbourhood Centres and Local Shops
S2/4	Control of Non-Retail Uses in All Other Areas
S2/6	Food and Drink
HT2/4	Car Parking and New Development
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.

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

S2/4 - Control of Non-Retail Uses in All Other Areas. Outside the main shopping area of town and district centres, changes of use, or redevelopment, from a retail shop (Class A1) to a non-retail use will be permitted.

In considering proposals for a non-retail use the following factors will be taken into account:

- a) that the proposal is appropriate in scale and character to the requirements of the area and necessary to serve local needs which would not otherwise be met;
- b) that the new non-retail use would not result in an over concentration or grouping of uses which could result in a long term loss of trade from a centre compared with a continued Class A1 use:
- c) the length of time the unit has remained vacant and the viability of a continued Class A1 use;
- d) whether or not the locality is adequately served by alternative local shopping facilities within reasonable walking distance;
- e) that a display window is retained or provided, where appropriate:
- f) that access is provided for the mobility impaired, where appropriate;
- g) that adequate provision is made for car parking and servicing.

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

a) the amenity of nearby residents by reason of noise, smell, litter and opening hours;

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

Use - Although the change of use would mean the loss of a local shop, it is noted that it has been vacant for over 12 months. The proposal to convert it to a cafe would bring the property to be brought back into active use and help maintain the vitality and viability of the existing Neighbourhood Shopping Centre. Being located opposite an entrance to the Kirklees Trail, the cafe would no doubt serve walkers using the recreational route and would be considered a local facility, serving the immediate area. The change of use to cafe would be considered acceptable in principle and is the type of use normally found within designated centres.

Visual amenity - The proposal to change the use to cafe with the active frontage would have a positive impact on the character and visual amenity of the streetscape and wider Neighbourhood Shopping Centre by introducing an active use in an otherwise empty premises.

Any proposed signage would need to comply with the advertising regulations, if permitted or otherwise require a seperate advert application.

Residential amenity - Although within a Neighbourhood Shopping Centre, the property adjoins residential premises to the side, rear and and above and the impact on these and other neighbours needs to be assessed.

The modest scale of the proposed new cafe, opening hours to 4.30pm on weekdays and 3pm at weekends together with insulation to the party walls and ceilings that could be required if necessary, there are no serious residential amenity issues relating to the proposal with conditional controls requiring insulation.

There is some concern relating to noise and disturbance to the adjoining neighbour at No.15 Brandlesholme Road from customers sitting on the forecourt. Although it is not expected that this would be excessive, it may be that a screen fence or trellis along the boundary with the neighbour and stepping gradually down in height to the road, would help reduce the impact and at least stop customers sitting on the existing wall at the front. A condition would be attached to ensure this is implemented and that the external seating is removed when the shop is closed. This detail can be conditioned.

With regard to concerns about possible conversion of the premises to a hot food takeaway or the extension of opening hours into the evening/night, the change of use or change of hours would need further planning approval.

Traffic - The proposed cafe unit would be modest in nature and within the Neighbourhood Shopping Centre. There is on-street parking along this part of Brandlesholme Road and during busy periods, there are some parking problems experienced by local residents.

However the existing A1 shop use would and has generated a certain amount of traffic and this could potentially be over a much longer period within a day than the proposed cafe use given the existing unrestricted opening hours. It is considered that the proposed cafe use with restricted hours, would not cause significantly more problems than the A1 shop use and may even generate less traffic.

With regard to servicing, access to the rear for bins would be as existing and this is considered to be acceptable.

There are no objections from the Highways Section. The proposal complies with UDP

Policies S2/6 and HT2/4 in relation to parking and access.

Representations - The concerns raised by the objectors have been addressed in the report and it is recognised that those supporting the proposal are not particularly local.

The issue of covenants, raised by the Civic Society, is a private matter rather than a planning issue.

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.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to Site Map, existing and proposed plans and elevations dated Feb 2017 and the development shall not be carried out except in accordance with the drawings hereby approved.
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. The cafe hereby permitted shall not be open to customers outside the following times:
 - 0800hrs to 1700hrs Monday to Saturday
 - 1000hrs to 1600hrs Sundays
 - <u>Reason</u>. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/6 Food and Drink of the Bury Unitary Development Plan.
- 4. Before the cafe use hereby approved commences, a noise assessment in relation to the property, including sound insulation testing in accordance with Regulation 41 (Sound Insulation Testing) of Building Regulations Approved Document E, shall be submitted to and approved in writing by the Local Planning Authority. Any acoustic treatment recommended in the assessment shall be implemented in full before the use commences.
 - <u>Reason.</u> To protect the amenities of the neighbouring residential properties pursuant to UDP Policy EN7/2 Noise Pollution and S2/6 Food and Drink.
- 5. Before the cafe(A4) use hereby approved commences, details of a screen along the shared side/front boundary with No.15 Brandlesholme Road, shall be submitted and approved in writing. The approved details shall be implemented in full and maintained in situ whilst the cafe is in use.

 Reason. No details have been submitted and in the interests of residential amenity
- pursuant to UDP Policy S2/6 Food and Drink.

 All external furniture shall be removed from the forecourt when the cafe is closed.
- 6. All external furniture shall be removed from the forecourt when the cafe is closed. Reason. In the interests of amenity pursuant to UDP Policy S2/6 Food and Drink.

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61530

ADDRESS: 11-13 Brandlesholme Road

Greenmount

Planning, Environmental and Regulatory Services

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61530



Photo 2





Drawing: Existing and Proposed Plans and Elevations

Date:Feb 2017

Ward: Ramsbottom and Tottington -

Ramsbottom

Applicant: Mr J & Mrs K Nuttall

Location: Birchen Bower Farm, Harwood Road, Tottington, Bury, BL8 3PT

Proposal: Replacement garage/workshop/stable/tackroom and alterations to windows and

doors; Two storey extension at front and change use of the attached barn to

Item

10

residential accommodation

Application Ref: 61563/Full Target Date: 20/07/2017

Recommendation: Approve with Conditions

Description

The application site is in the Green Belt and relates to a farm house, with attached barn to the west of the existing dwelling, located off Harwood Road. The existing dwelling has an existing single storey extension to the front, with a conservatory extension to the rear. A single storey woodstore is also located to the front of the attached barn. Adjacent to the dwelling there is an existing timber stable block that is approximately 7.3 metres wide and 3.4 metres deep. The site is bounded by open fields.

Planning permission is sought for the conversion of the existing attached barn into residential accommodation including the removal of the existing single storey wood store and the construction of a two storey extension. The proposed extension would project approximately 3300mm from the principal front elevation of the building and would be constructed from materials to match the original farm house.

It is also proposed to remove the existing timber stable block and replace with a 6000mm by 6000mm stone built garage within pitched roof which would also be constructed from materials to match the original dwelling. The proposed garage would be approximately 1.9 metres to the eaves, with an overall ridge height of approximately 3.6 metres.

Relevant Planning History

36584 - Refurbishment of derelict farm house - Refuse 19/01/2001

38360 - Certificate of Lawfulness - Re-instatement of an existing farm house and adjoining farm buildings - Approve 15/03/2002

39453 - Change of use to residential - Approve with Conditions 24/09/2002

01868/E - Proposed conversion of attached barn into residential floor space for house and two storey extension - Enquiry completed 23/08/2016

60686 - Replacement garage/workshop/stable/tackroom and alterations to windows and doors; Two storey extension at front and change use of the attached barn to residential accommodation - Withdrawn by Applicant 16/12/2016

Publicity

Neighbour Letters - 31/05/2017 Site Notice - 15/06/2017

Following the receipt of additional information a further 7 day consultation letter was sent.

1 Objection received from Tottington District Civic Society in relation to new building on Green Belt land, and the size of the new bigger replacement stable block.

No objection raised to alterations made to existing building.

Consultations

Traffic Section - No Objections

Greater Manchester Ecology Unit - Ecological issues relating to great crested newts, bats, nesting birds and invasive species can be resolved via condition and or informative.

No objection subject to conditions relating to the implementation of the submitted great crested new reasonable avoidance method statement, restricting works to ensure that nesting birds are not disturbed during construction and the submission of a statement detailing the eradication/and or control and/or avoidance measures for himalayan balsam.

Unitary Development Plan and Policies

Ullitary De	evelopinent rian and roncies
OL1	Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN9	Landscape
EN9/1	Special Landscape Areas
H1/2	Further Housing Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
NPPF	National Planning Policy Framework

Protection of Mineral Resources

Issues and Analysis

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

Policy

MW1

Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

Policy EN6/3 - Features of Ecological Value ensures that existing features of ecological or wildlife value will be taken into account when assessing development proposals.

Policy EN9/1 - Special Landscape Areas seeks to ensure that proposals are sympathetic to surrounding areas in terms of visual impact

Policy H2/1- The Form of New Residential Development requires all new residential development to make a positive contribution to the form and quality of the surrounding area.

Policy HT2/4 - Car Parking and New Development requires all applications for development to make adequate provision for their car parking and servicing requirements.

Policy OL1/2 - New Buildings in the Green Belt seeks to control development within the Green Belt, providing potential acceptable categories of development.

Policy OL1/4 - Conversion and Re-Use of Buildings in the Green Belt states that conversion or re-use of buildings within the Green Belt is not inappropriate providing suitable safeguards are taken.

Supplementary Planning Document 9 - Conversion and Re-use of Buildings in the Green Belt seeks to provide guidance to developers and applicants wishing to convert or re-use buildings within the Green Belt.

Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt seeks to provide further assistance to potential developers on what is or is not acceptable in the Green Belt.

Impact on Green Belt and Layout - The main issue with regards to development at this site is the impact on of new development in the Green Belt. Paragraph 90 of the NPPF states that "the re-use of buildings provided that the buildings are of a permanent and substantial structure" is an appropriate form of development within the Green Belt. In addition to this Policy OL1/4 and SPD 9 also provide guidance on the suitability of buildings to be converted.

The structural report submitted with the application states that in order to convert the barn the roof would need to be removed in order to provide new purlins, however the external walls and dividing walls are in a reasonable condition only requiring localised infilling and there is no evidence of foundation movement. In this instance it is considered that the proposed building would be unlikely to require major re-building to enable it to be converted. As the existing barn is already attached to the main dwelling it is considered that the conversion to residential is a suitable use. As such, the principle of the development can be supported through the NPPF and complies with UDP Policy OL1/4 and SPD9.

In relation to the two storey extension to the front of the building Paragraph 89 of the NPPF states that the construction of new buildings within the Green Belt are inappropriate. One exception to this is "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building". This is further supported by UDP Policy OL1/2 which states that limited extension, alteration or replacement of existing dwellings is acceptable providing that this would not result in disproportionate additions over and above the size of the original dwelling. In general terms SPD 9 states than an extension of up to a third in volume may be acceptable.

Not taking into consideration the volume of the proposed barn conversion; the existing dwelling has a volume of 475 m3 with the proposed extension at a volume of 100 m3. The proposed extension would therefore fall within the acceptable allowance when compared to the volume of the existing dwelling, and as such complies with the guidance contained within SPD9 and would not result in an addition over and above the size of the original dwelling complying with Paragraph 89 of the NPPF and UDP Policy OL1/2.

In relation to the proposed garage as above it is noted that Paragraph 89 of the NPPF states that the construction of new buildings within the Green Belt is inappropriate. The proposed garage would be sited in the same position as an existing timber stable block, increasing the footprint of the built form by approximately 9 square metres. It it is considered that the increase in footprint above that of the existing built form is minimal and therefore is acceptable in this instance.

SPD 8 states that the impact of a new building can reduced by siting it close to existing development. The submitted plans shows the new garage in the same position as the existing timber stable block, with the existing stable block located adjacent to a public footpath and open fields to the east, and fronts an area currently used as parking for the

property. The existing stable block is adjacent to the existing dwelling, and as such is viewed in connection with this already developed area.

The proposed garage would be sited largely in the same position as the removed stable block and as such would also benefit from being read in connection with the existing cluster of buildings rather than being located in an isolated position away from the original property. The ridge of the proposed garage would be approximately 490mm higher than the existing stable block, and would be no higher than the adjacent farm house arrangement. The proposed garage appears subservient when viewed in relation to the existing property. In this instance it is considered that the siting of the garage would continue the form of a cluster of buildings, rather than locating a new building in a more open and exposed location and as such is considered to be appropriate and would not impact on the openness of the Green Belt and complying with guidance contained within SPD 8.

The proposed extension and garage are relatively simple in design with a pitched roof and gable end replicating the shape and style of the original property. The use of traditional stone masonry and lime mortar mirrors the traditional local building materials and style, as does the use of slate for the roofs. The proposed materials are therefore considered to create a harmonious development.

The proposal would see the reduction in size of two windows to the front elevation to create 2 picture windows at first floor. There will also be two first floor windows, and a ground floor window located on the front elevation of the proposed extension. The windows and openings in the existing elevation are of a random nature and appear to be largely limited to the retention and re-use of original openings within the building. Whilst there is some alteration and additions to the window arrangements on this elevation they still reflect the non-uniform arrangement of windows and openings within this elevation. In this instance therefore the proposed windows on the front elevation are considered to be acceptable.

The majority of windows within the rear elevation will be retained, however the south east corner will be altered to incorporate a wrap around window. Whilst this addition is a contemporary design solution, the window opening would still retain the shape of the ground floor of the dwelling and would be largely screened from the adjacent footpath by the existing boundary wall. In this instance the limited additional glazing to the rear and side elevation is considered to be acceptable.

In this instance it is considered that the design and layout of the proposed conversion, extension and garage is in keeping with the character of the original building and surrounding landscape and as such complies with Policies OL1/2, H2/2, H2/1, EN9/1 and EN1/2 of the Bury Unitary Development Plan and the NPPF.

Residential Amenity - There are no immediately adjacent residential properties. As such, due to the location of the proposal no residential amenity issues are foreseen.

Ecology - The site is located within the Mason's Nursery Great Crested Newt search area. Five ponds have been identified within 250m of site the closest being less than 20m from site. A reasonable avoidance method statement has been submitted with the application which sets out the measures that will be followed during the construction period, including an induction process for all staff working at the site to make them aware of the possible presence of Great Crested Newts. The statement submitted is considered by GMEU to be acceptable. It is considered that a condition should be attached to any permission to ensure that the development is carried out in accordance with the reasonable avoidance method statement.

The attached barn to be converted was previously assessed as having moderate bat roosting potential and emergence surveys recommended. These have now occurred and no evidence of bats roosting found though bat activity in the vicinity. An informative should be attached to any permission ensuring that if a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard

the bat(s). Natural England should also be informed.

Himalayan balsam was recorded at the site in 2016. It is therefore considered that prior to any earthworks at the site a method statement detailing eradication, control and avoidance measures should be submitted. This additional information can be dealt with by condition.

The most recent owl report submitted with the application assesses the buildings as high risk for nesting birds. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Due to the high risk for nesting birds a condition should be attached to any permission that does not allow building works to commence between the 1st March and 31st August unless a detailed bird nest survey is carried out immediate prior to clearance to ensure there are no active nests in the building.

In this instance it is considered that adequate ecological information has been supplied by the applicant. Ecological issues relating to great crested newts, bats, nesting birds and invasive species can be resolved via condition and or informative. The proposal is therefore considered to comply with UDP Policy EN6/3.

Objection - It is considered that the impact of the proposal in relation to the Green Belt has been assessed above.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

- 1. The development must be begun not later than three years beginning with the date of this permission.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings numbered 16.29/ex.00, 16.29/ex.01, 16.29/ex.02, 16.29/ex.03, 16.29/PL01 Rev B, 16.29/PL02 Rev B and 16.29/PL03 and the development shall not be carried out except in accordance with the drawings hereby approved.
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
 - <u>Reason</u>. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
- 4. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year unless otherwise agreed in writing with the Local Planning Authority.

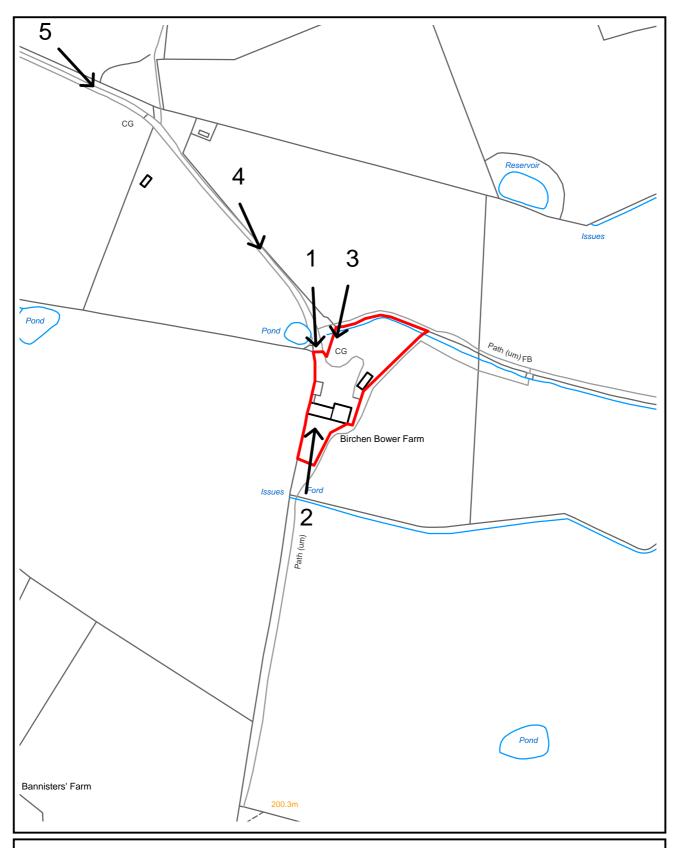
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural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

- 5. Prior to any earthworks a method statement detailing eradication and or/control and/or avoidance measures for himalayan balsalm should be submitted to and approved in writing by the Local Planing Authority. The agreed method statement shall be adhered to and implemented in full.

 Reason. The scheme does not provide full details of the actual extent of Himalayan Balsam in the interest of UDP Policy EN9 Landscape and pursuant to National Planning Policy Framework Section 11 Conserving and enhancing the natural environment.
- 6. The proposal shall be carried out in accordance with the approved Great Crested Newt Reasonable Avoidance Measures Statement.
 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.

For further information on the application please contact **Helen Goldsbrough** on **0161 253 5277**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61563

ADDRESS: Birchen Bower Farm

Harwood Road

Planning, Environmental and Regulatory Services

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61563



Photo 2

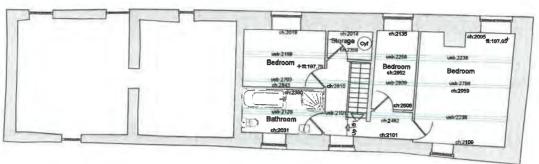




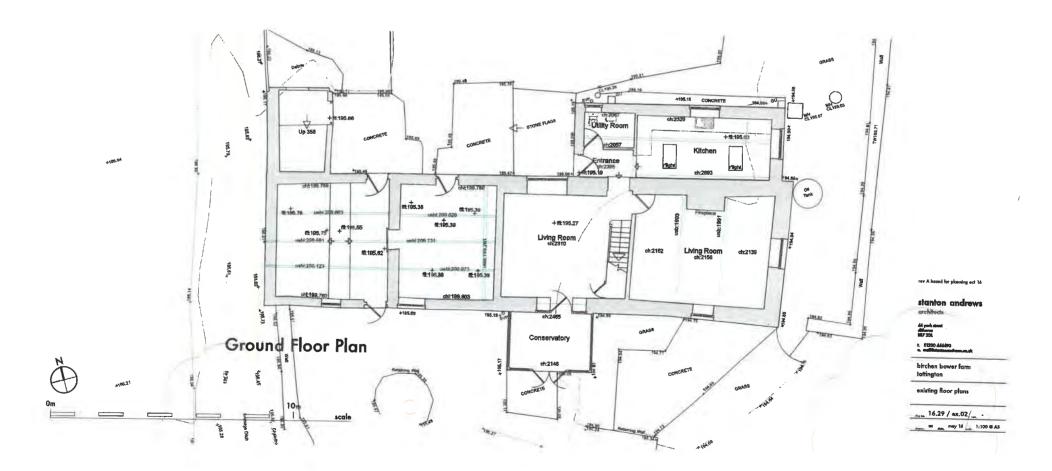
Photo 4

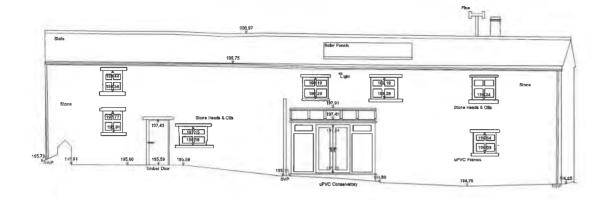


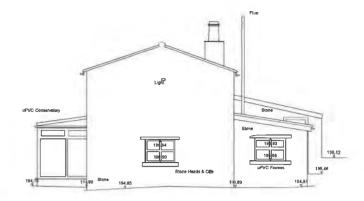




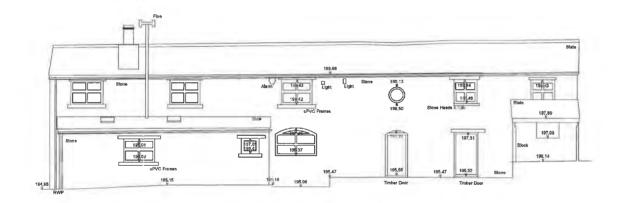
First Floor Plan



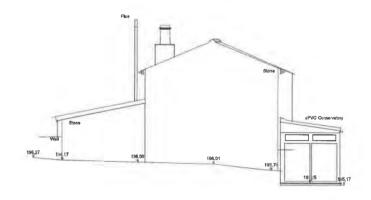




North Elevation



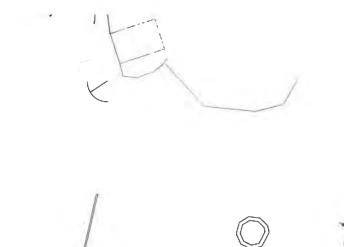
East Elevation

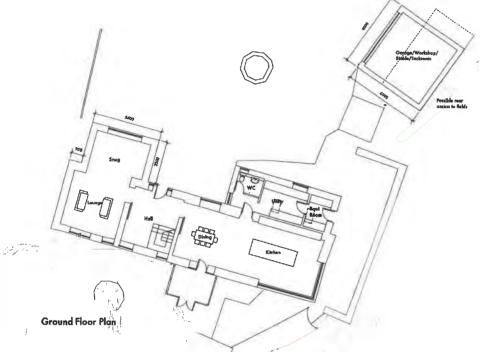


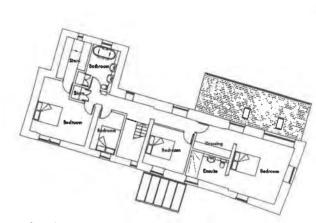
South Elevation



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B Issued for planning
A Issued for planning

stanton andrews

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- 1 01200 444490
- mailOstantonandrews.co.
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Birchen Bower Farm Tattington

Proposed Site and Floor Plans

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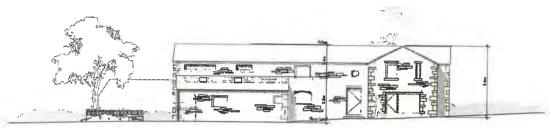


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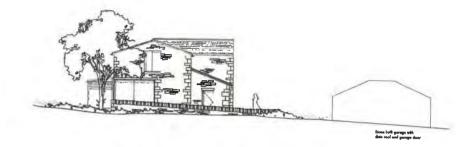
Samples of materials to be made available for local authority on request

Roof Slate Walls Random

Wittdows - Pollymster Coofed Albania



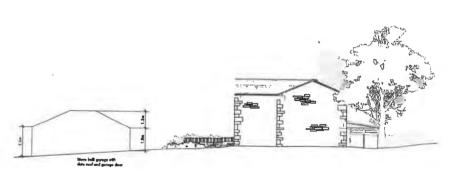
Dashed line indicates profile of garage to foreground



North Elevation



South Elevation



West Elevation

East Elevation

A Issued for planning Oct 1.

Stanton andrews

architects

44 york street differoe BS7 2DL

1 01200 444490

mail@stantonandrews.co.uk
 stantonandrews.co.uk

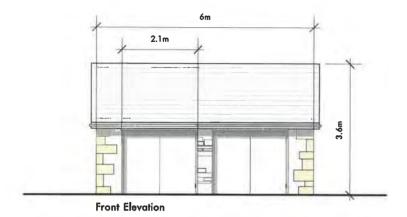
Birchen Bower Farm Tollington

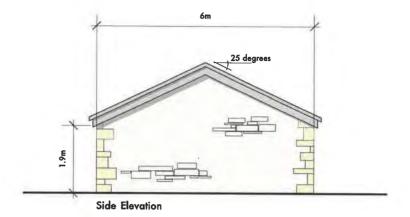
Proposed Elevations

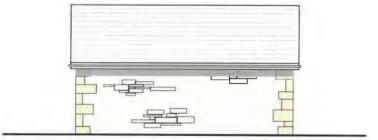
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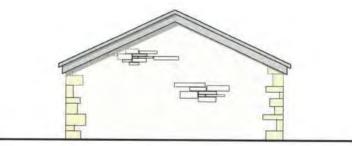












Side Elevation

stanton andrews

architects

44 york street ditheros 887 2DL

e. 01200 444490 e. mail@atuntonundrews.co.uk

Birchen Bower Farm Tottington

Garage Elevations

drg.no. 16.29 / PLO3 rav. -

_drawn. JL date. July 17 scale. 1:100 @ A4

Ward: Bury East - Redvales Item 11

Applicant: Avantgarde (UK) Limited

Location: Site of former Fishpool County Infant School, Parkhills Road, Bury, BL9 9AP

Proposal: Change of house type for plots 3,4,5,6,7,8 from previously approved planning

application 58866

Application Ref: 61572/Full **Target Date**: 26/07/2017

Recommendation: Approve with Conditions

Description

The site was vacant and was part of the former Fishpool County Infant School. The site is located between Devon Street and Nelson Street. There is a brick wall along the frontage with Parkhills Road.

Planning permission was granted in October 2015 for the erection of 8 dwellings. Work has commenced in accordance with the current consent and is up to slab level.

There are residential properties to all boundaries and a primary school is located to the south east of the site.

The proposed development involves the change of house type to plots 3 - 8 to include the addition of a two storey extension with a pitched roof at the rear. The proposed extension for plots 3 and 4 would project 2.95 metres from the rear elevation and would project 3.95 metres for plots 5 - 8. The proposed dwellings would be constructed from red brick and render with a tile roof. Vehicular access would be taken from Nelson Street and pedestrian access would be taken from Parkhills Road.

Relevant Planning History

40405 - Road closure to link school sites at Fishpool & St Chad's Primary School, Nelson Street, Bury. Approved with conditions - 23 April 2003

42890 - Demolition of former fishpool school; provision of new car park and junior playground and associated site work. Alterations and extension to St Luke's Primary School and associated site works at St Luke's Primary School (Former Fishpool and St Chad's School), Nelson Street, Bury. Approved with conditions - 3 September 2004

44241- Outline - residential development at part of former Fishpool Infants School, Parkhills Road, Bury. Approved with conditions - 6 June 2005.

48716 - Residential development - 8 dwellings at part of site of former Fishpool School, Parkhills Road, Bury. Refused - 11 January 2008

49460 - Erection of 8 dwellings (resubmission of 48716) at part of site of former Fishpool School, Parkhills Road, Bury. Approved with conditions - 28 March 2008

53609 - Application to extend the time limit for implementation of planning permission 49460 for 8 no. dwellings at Former Fishpool School, Parkhills Road, Bury. Approved with conditions - 10 March 2011

58866 - Residential development - 8 no. dwellings at site of former Fishpool School, Parkhills Road, Bury. Approved with conditions - 27 October 2015.

Publicity

The neighbouring properties were notified by means of a letter on 31 May 2017.

8 letters have been received form the occupiers of 41, 43, 45, 49, 53, 55, 57 Parkhills Road, which have raised the following issues:

- All of the residents say no to the proposed development.
- Nos 55 and 59 Parkhills Road did not receive any letters.

The neighbouring properties and objectors have been notified of revised plans on 5 July 2017.

Any comments received will be reported in the Supplementary Report.

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

Consultations

Traffic Section - Issues with tandem parking - amendments required to space 12

Unitary Development Plan and Policies

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H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2	Conservation and Listed Buildings
EN6	Conservation of the Natural Environment
EN7	Pollution Control
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
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 - Following revocation of the North West Regional Strategy on 20 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 housing land.

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

the nature of the local environment and the surrounding land uses.

The site is located within the urban boundary and within a residential area. Planning permission was granted for residential development in 2005, 2008, 2011 and 2015. The proposed development would not conflict with the surrounding uses and is in a sustainable location with good access to public transport and services. The site formed part of a school, which has been demolished and as such, is previously developed land. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout - The proposed development would involve the addition of a two storey extension at the rear of plots 3 - 8. The proposed extensions would be constructed from red brick at ground floor level with render above and a tile roof, which would match the approved dwellings and the existing properties in the area. The use of cills and a stone band would add visual interest to the elevations. As such, the proposed development would not be a prominent feature in the locality.

All of the proposed dwellings would have a rear garden which would provide a suitable level of private amenity space. There would be space within the rear gardens for bin storage. The brick wall along the frontage with Parkhills Road would be retained with gates inserted to provide access to the proposed dwellings. 1.8 metre high timber fencing would be provided to the rear gardens, which would be acceptable and would match other fencing in the area. Therefore, the proposed development 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 between residential properties and as such, would be relevant in this case. The SPD states that there should be a minimum of 20 metres between directly facing windows and 7 metres from a first floor habitable room window to the boundary. These distances are based upon 2 storey buildings and must be increased by 3 metres for each additional storey.

There would be between 28.5 and 29.5 metres between the proposed dwellings and Nos 41 - 53 Parkhills Road and there would be between 31 and 35 metres from the rear elevation of the proposed dwellings to the dwellings on Sultan Street, which are beyond the playground. Both of these distances would be in excess of the 23 metre aspect standard.

There would be 7 metres from the rear of plots 3 & 4 to the boundary, 7.4 metres from the rear of plots 5 & 6 to the boundary and 8.9 metres from the rear of plots 7 & 8 to the rear boundary. All of these distances would match or would be in excess of the 7 metre aspect standard.

There would be 28 metres from No. 70 Parkhills Road to the gable of plot 8, which would be in excess of the 16 metre aspect standard.

Therefore, the proposed development would not have an adverse impact upon the residential amenity of the neighbouring properties and would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan.

Highways issues - The access arrangements would not be affected by the proposed development and would be accessed from the existing turning head on Nelson Street.

The Traffic Section has no objections, subject to the inclusion of conditions relating to waiting restrictions, construction management plan, turning facilities, car parking and measures to prevent mud from passing onto the highway. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum number of parking spaces is 3 spaces per 4 bed

unit within a high access area. This equates to 24 spaces.

The proposed extension would not result in a change to the number of bedrooms, which would remain at 4. The proposed development would provide 12 spaces. Currently, there are parking restrictions on Parkhills Road immediately adjacent to the site, which restricts parking between school drop off and pick up times on Mondays to Fridays.

The parking restrictions were put into place when the school was operating and has since been demolished. As such, it may be possible to lift these restrictions, subject to the required legal process, which would allow on-street parking directly in front of the property. The site has good access to public transport and services within the local shopping centre.

Given that the removal of the parking restrictions, the access to public transport and the close proximity to a shopping centre, it is considered that the level of parking provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan.

Response to objectors

• Letters were issued to Nos 55 and 59 Parkhills Road on 31 May 2017 and on 5 July 2017. Comments were received from neighbouring properties on the application.

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.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings numbered 14037-LP, 14047-102 Rev D, 14037-212 Rev A, 14037-213 Rev A, 14037-214, 14037-215, 14037-216 and the development shall not be carried out except in accordance with the drawings hereby approved.
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. The materials for the proposed development shall be:

Brick - Forterra, county red smooth brick

Render - K-Rend SIL FT Ivory

Roof - Marley modern - anthracite

Stone banding

<u>Reason</u>. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

4. The Remediation Strategy approved as part of condition 4 of permission 58866

must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and

A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

- 5. No development shall commence unless or until details of foul and 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.
 <u>Reason.</u> No details have been provided and to ensure a satisfactory means of drainage pursuant to Policy EN7/5 Waste Water Management of the Bury Unitary Development Plan.
- 6. Prior to first occupation of any of the dwellings hereby approved, a scheme for the review of the existing waiting restrictions on Parkhills Road in the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the measures proposed, all necessary modifications to road markings and signage and a timetable for implementation.

 Reason. To mitigate the impact of any visitor parking that is likely to be generated by the proposed development on the adjacent residential streets pursuant to the following Policies of the Bury Unitary Development Plan:

 Policy H2/1 The Form of New Residential Development Policy H2/2 The Layout of New Residential Development Policy EN1/2 Townscape and Built Design.
- 7. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period and shall ensure that there is provision to be made for the turning and manoeuvring of vehicles within the curtilage of the site, parking on-site of operatives' and construction vehicles together with storage on-site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and the areas identified shall not be used for any other purposes other than the turning and parking of vehicles and storage of construction materials respectively.

 Reason. The scheme does not provide details of the route for construction and to mitigate the impact of the construction traffic generated by the proposed development on the adjacent streets, in the interests of highway safety pursuant to

the following Policies of the Bury Unitary Development Plan: Policy H2/1 - The Form of New Residential Development Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

8. The access alterations indicated on approved plan reference 14047-102 Revision A shall be implemented to an agreed specification before the development is commenced/site access is brought into use

<u>Reason.</u> To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

9. The turning facilities indicated on approved plan reference 14047-102 Revision A shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times

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

Policy H2/1 - The Form of New Residential Development

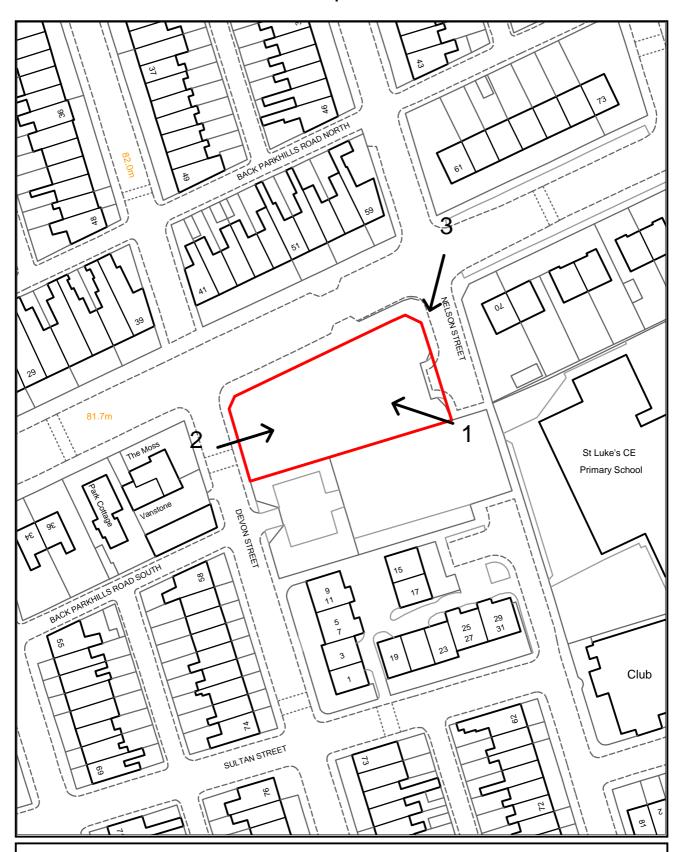
Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

- 10. The car parking indicated on approved plan reference 14047-102 Revision B shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 Car Parking and New Development of the Bury Unitary Development Plan.
- 11. The scheme 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 approved as part of condition 12 of permission 58866 shall be implemented when development commences and maintained thereafter during the period of construction.
 Reason. No details have been provided and to ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 The Layout of New Residential 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 61572





Planning, Environmental and Regulatory Services

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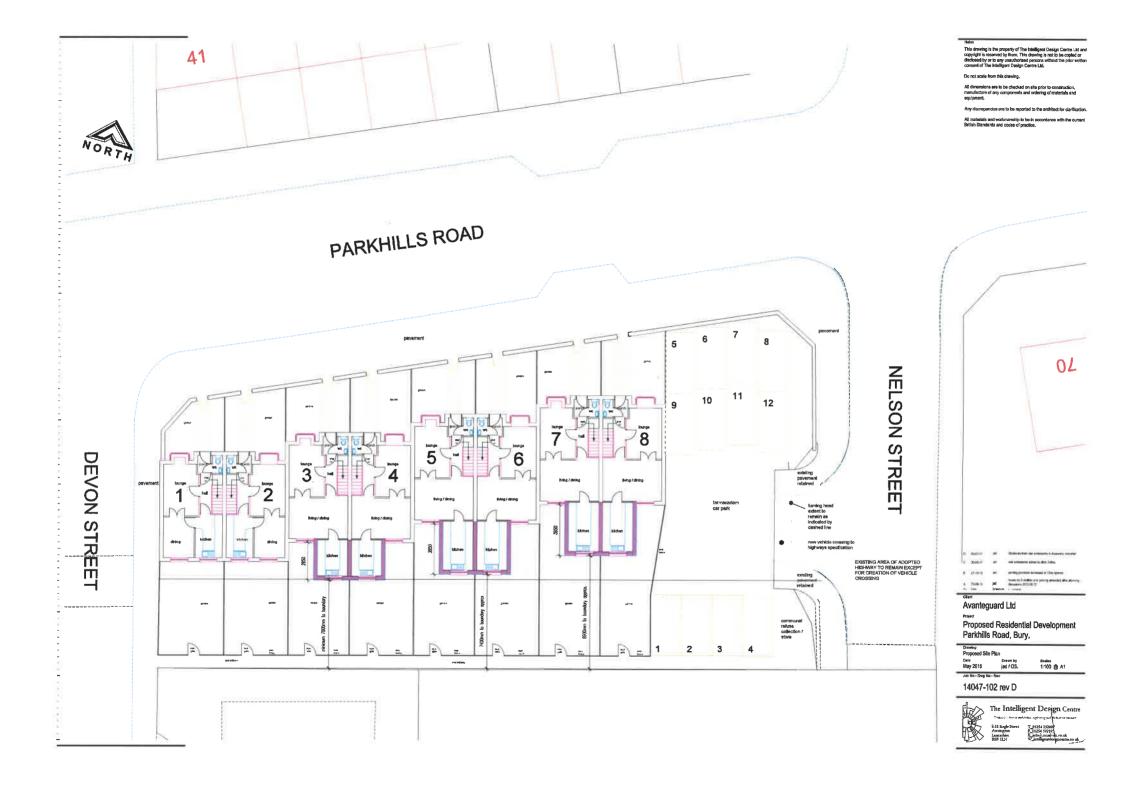
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Photo 2



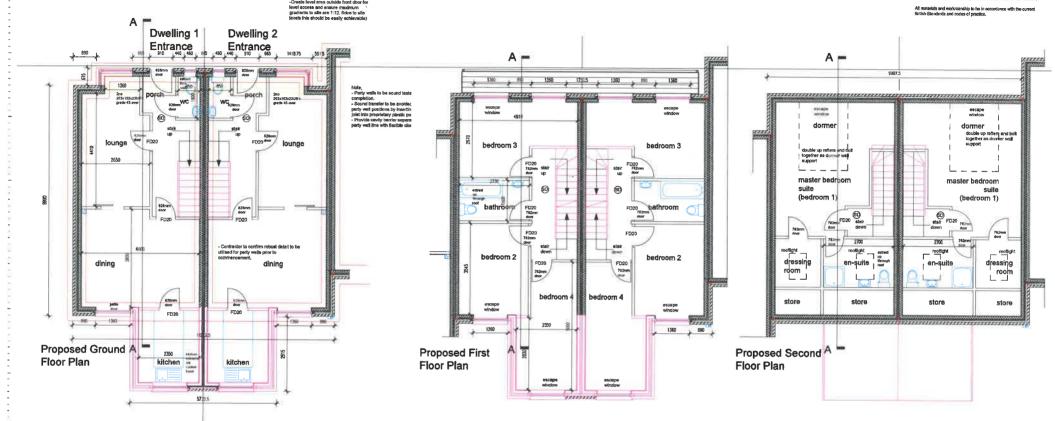




Proposed Plans - Plots 3-4

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All dimensions are to be checked on site prior to construction



Avanteguard Ltd

Proposed Residential Development Parkhills Road, Bury.

Drawing Proposed Plans - Plots 3-4

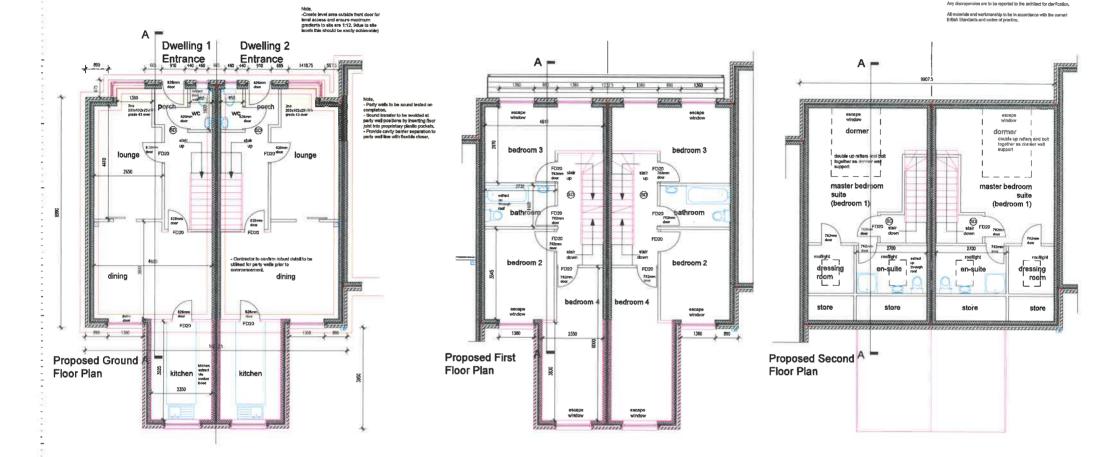
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14037-215

The Intelligent Design Centre

Proposed Plans - Plots 5-6, and 7-8



Avanteguard Ltd Proposed Residential Development Parkhills Road, Bury. Proposed Plans - Plots 5-6 and 7-8 May 2017 JD/DW 1:50 @ A1 14037-212 rev A

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Proposed Elevations - Plots 3-4, 5-6, and 7-8

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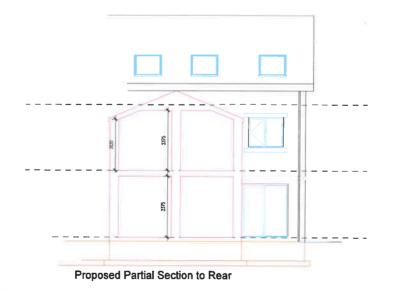
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All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of instantate and equipment.

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

All materials and workmanship to be in accordance with the current British Standards and codes of practice.





Commits Commits

Avanteguard Ltd

Proposed Residential Development Parkhills Road, Bury.

Date May 2017

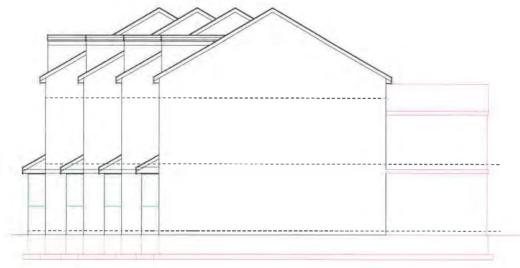
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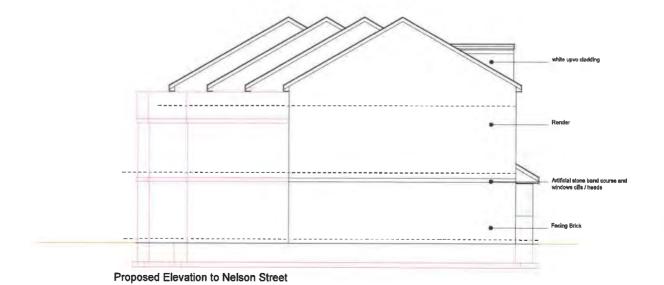
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Proposed Elevation to Devon Street

Proposed Partial Elevation to Rear



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Proposed Residential Development Parkhills Road, Bury.

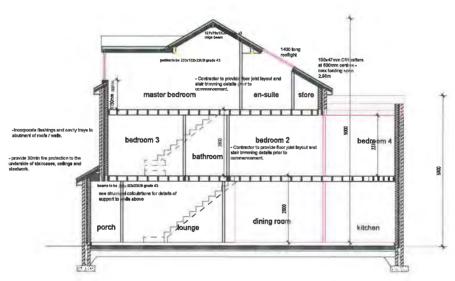
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Proposed Section - Plots 3-4



Proposed Section A-A

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Avanteguard Ltd

Proposed Residential Development Parkhills Road, Bury.

Proposed Section - Plots 3&4

May 2017 JD/DW

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Ward: Prestwich - St Mary's Item 12

Applicant: William Construction UK

Location: Glenshiel, 232 Hilton Lane, Prestwich, Manchester, M25 9FX

Proposal: Demolition of existing bungalow and erection of 3 no. dwellings

Application Ref: 61584/Full **Target Date:** 11/08/2017

Recommendation: Approve with Conditions

Description

The application relates to a site with a bungalow, which is currently vacant. The bungalow is constructed from brick and render with a tile roof and is located adjacent to Hilton Lane. The site is currently accessed from Butterstile Close.

The site to the south is currently vacant, but has a extant planning permission for 5 residential dwellings. There is a car repair garage to the north east and residential properties to all other boundaries.

The proposed development involves the demolition of the existing dwelling and the erection of a terrace of 3 dwellings. The proposed dwellings would be two storeys in height with living accommodation in the roof space. The proposed dwellings would be constructed from clay facing brick with a tile roof and the proposed development would be accessed from Butterstile Close.

Relevant Planning History

59765 - Erection of 5 No. Dwellings at land between Butterstile Close and Hilton Lane, Prestwich. Approved with conditions - 28 April 2016.

Publicity

The neighbouring properties were notified by means of a letter on 16 June 2017.

1 letter has been received from the occupiers of 5 Butterstile Close, which has raised the following issues:

- Support the development as a whole, but seek the proposed bin store is reworked.
- The proposed development involves a 10 bin store with its main access from Butterstile Close. Object to looking out on and smelling bins.
- The bin store on the adjacent site would be screened, but not on Butterstile Close. This is not acceptable.
- Each property would have 4 bins, which equates to 32 bins. Where would the rest be kept?
- If they are to be kept at the front they will add to the clutter and disamenity.
- Access to the bin store should be form the new development only.

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

Consultations

Traffic Section - No objections in principle. Further comments to be reported in the Supplementary Report.

Drainage Section - Comments awaited.

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

Waste Management - Comments awaited.

Environment Agency - Comments awaited.

United Utilities - No objections, subject to the inclusion of conditions relating to drainage. **Greater Manchester Ecology Unit** - No objections, subject to the inclusion of conditions relating to nesting birds and landscaping and an informative relating to bats.

Unitary Development Plan and Policies

H1/2 Further Housing Development

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

EN1/2 Townscape and Built Design

EN1/3 Landscaping Provision

EN6 Conservation of the Natural Environment

EN6/3 Features of Ecological Value

EN7 Pollution Control

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

HT2/4 Car Parking and New Development

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11 Parking Standards in Bury

NPPF National Planning Policy Framework

Issues and Analysis

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

Principle - Following revocation of the North West Regional Strategy on 20 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 housing land.

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

The site would be located within the urban boundary and would be surrounded by residential properties. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with good access to public transport and services. The site contains a detached building and is previously developed land. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Design and layout - The proposed dwellings would be located in a terrace of three and would face internally into the site. The rear elevations would face HIlton Lane and the area would be landscaped. The proposed dwellings would be two storeys with living accommodation in the roofspace. The proposed dwellings would be identical to those approved on the adjacent site in April 2016. The proposed dwellings would be constructed

from red brick with a tile roof, which would match the surrounding properties. The use of headers, cills, canopies and dormer windows would add visual interest to the proposed development. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - The level of private amenity space would be acceptable and there would be space within the side or rear gardens for bin storage. A bin store would be constructed from timber and would be located off Butterstile Close. The proposed bin store would be used on collection days only as it would not be possible for a refuse wagon to turn around in the site. The existing boundary wall on Hilton Lane would be retained and landscaped with additional trees planted and timber fencing would be provided to all other boundaries, which would be acceptable. Therefore, the proposed development 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.

There would be a minimum of 34 metres between the proposed dwellings and the dwellings on Butterstile Close, which would be in excess of the 23 metre aspect standard.

There would be a minimum of 20 metres from the proposed dwellings to the properties on Hilton lane. Due to a difference in levels between the site and Hilton Lane, the proposed dwellings would be effectively two storey in height and as such, a aspect of 20 metres would be acceptable.

Therefore, the proposed development would not have an significant adverse impact upon the amenity of the neighbouring properties.

Bats - A bat assessment was submitted with the application and an emergence survey has been carried out. The emergence survey found no evidence of bars and a low level of bat activity in the area. GM Ecology Unit has no objections, subject to the inclusion of conditions relating to nesting birds and landscaping and an informative relating to bats. Therefore, the proposed demolition would not have an adverse impact upon a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development would be accessed from Butterstile Close and the access road would connect to the access road from the previously approved scheme (59765). There would be adequate levels of visibility at the junction. The Traffic Section has no objections in principle to the proposed development and further comments will be reported in the Supplementary Report.

Parking - SPD11 states that the maximum parking standards is 2 spaces per 3 bed dwelling. This equates to 6 parking spaces.

Each dwelling would have 1 space on a driveway and 3 additional spaces would be provided to the , making 6 in total. Therefore, the proposed development would comply with the maximum parking standards and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The agent has confirmed that the bin store would be used on collection days only as it
 may not be possible to accommodate a refuse wagon within the site.
- A second bin store has been included on the proposed site plan for the proposed terace of 3 dwellings to ensure that there is sufficient capacity on collection days.
- Bin storage otherwise would be provided within the properties.

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.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings numbered DA15159.0.001.4, DA15159.0.205.3, DA15159.0.002.3, DA15159.0.003.3, DA15159.0.004.3, DA15159.0.005.3 and the development shall not be carried out except in accordance with the drawings hereby approved.
 - <u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
 - <u>Reason</u>. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
- 4. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

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

submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

- 6. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation has been provided and approved in writing by the Local Planning Auhtority that no active bird nests are present.
 Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 Conservation of the Natural Environment and EN6/3 Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 Conserving and enhancing the natural environment.
- 7. A landscape management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The landscaping plan should include elements to mitigate for loss of trees, shrubs and bird nesting habitat. The approved plan shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

<u>Reason</u>. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to the following Policies of the Bury Unitary Development Plan:

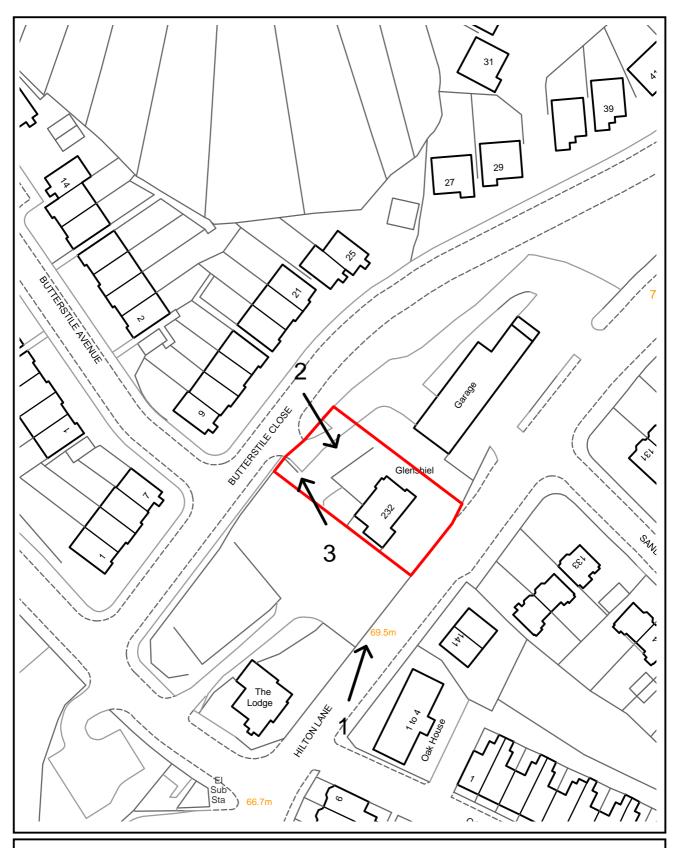
Policy EN1/2 - Townscape and Built Design

EN8/2 – Woodland and Tree Planting

Policy EN6/3 - Features of ecological value.

- 8. No development shall commence unless or until details of a scheme for the disposal of 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.
- The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being first occupied.
 - <u>Reason</u>. 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.

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61584

ADDRESS: 232 Hilton Lane

Prestwich

Planning, Environmental and Regulatory Services

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61584

Photo 1

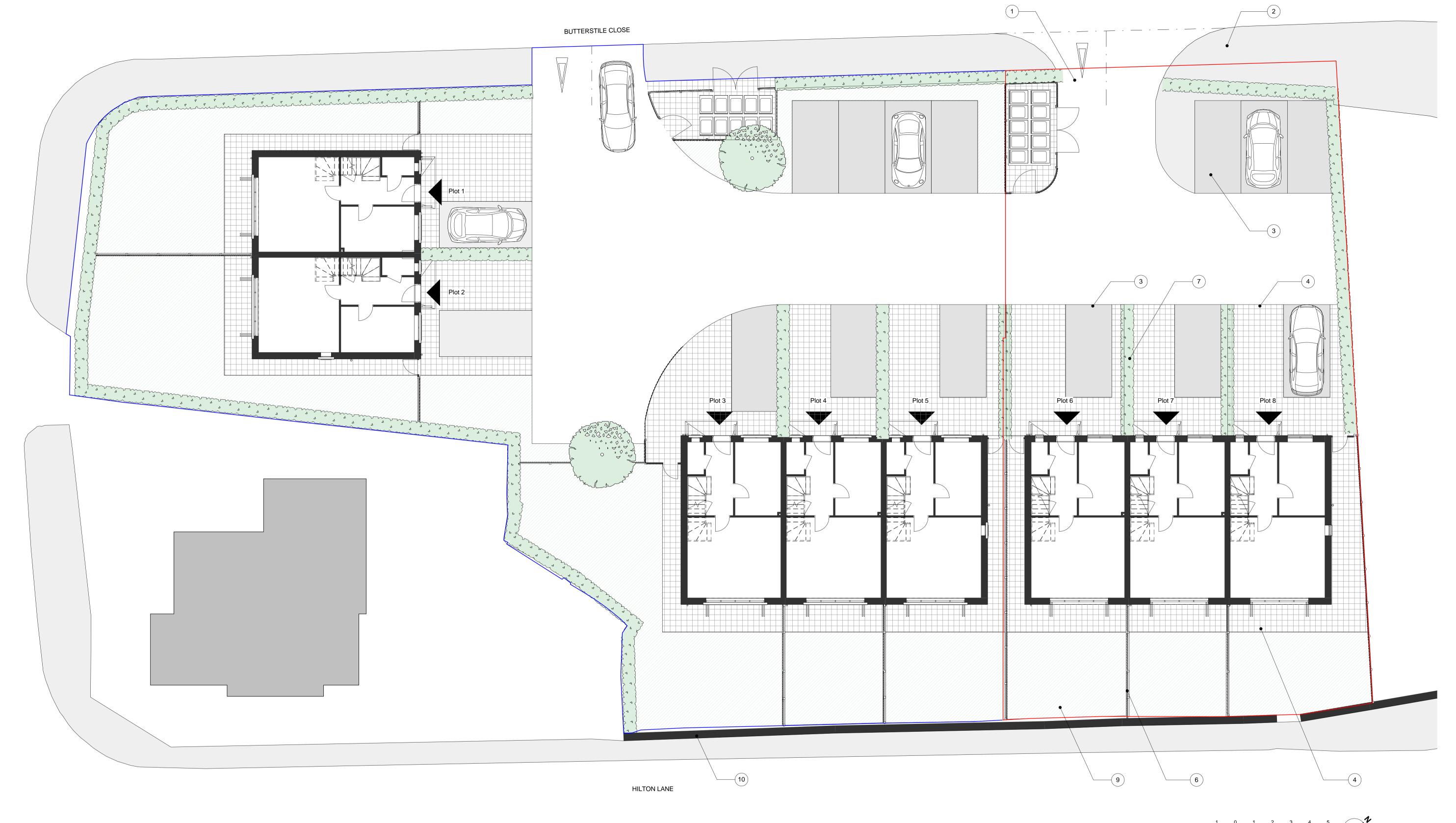


Photo 2



Photo 3





1 Level 0 - Landscaping
1:100



Notes - Planning

A Units 1-5 refer to previously approved application Ref: 59765.

Note Block - Landscaping

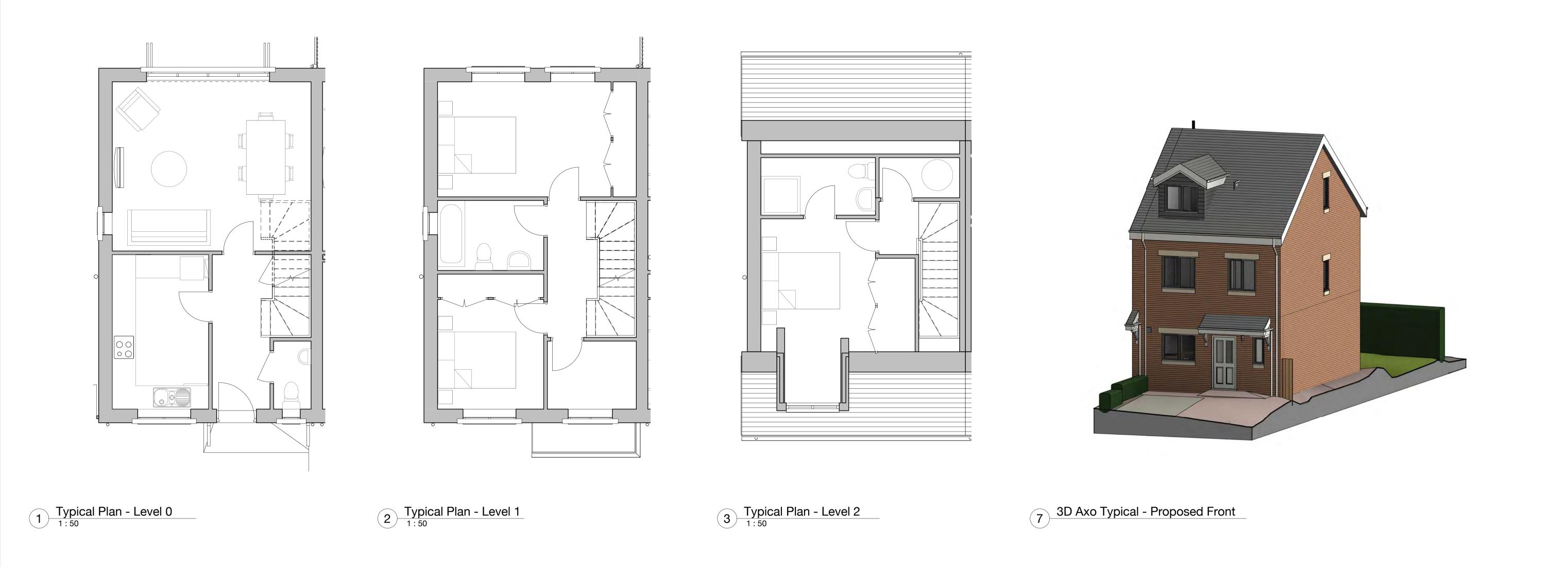
- 1 Shared surface in permeable block paving or similar.
- 2 Existing pavement. 3 Parking space in permeable block paving or similar.
- 4 Hard landscaping in permeable paving stones / blocks.
- 6 Plot dividing / boundary fencing. 1.8m High vertical lap timber or similar. Matching gate where required.
- 7 Low level plot dividing hedge. Species TBA. 9 Lawned garden area.
- 10 Existing boundary wall retained. To be cleaned / painted.

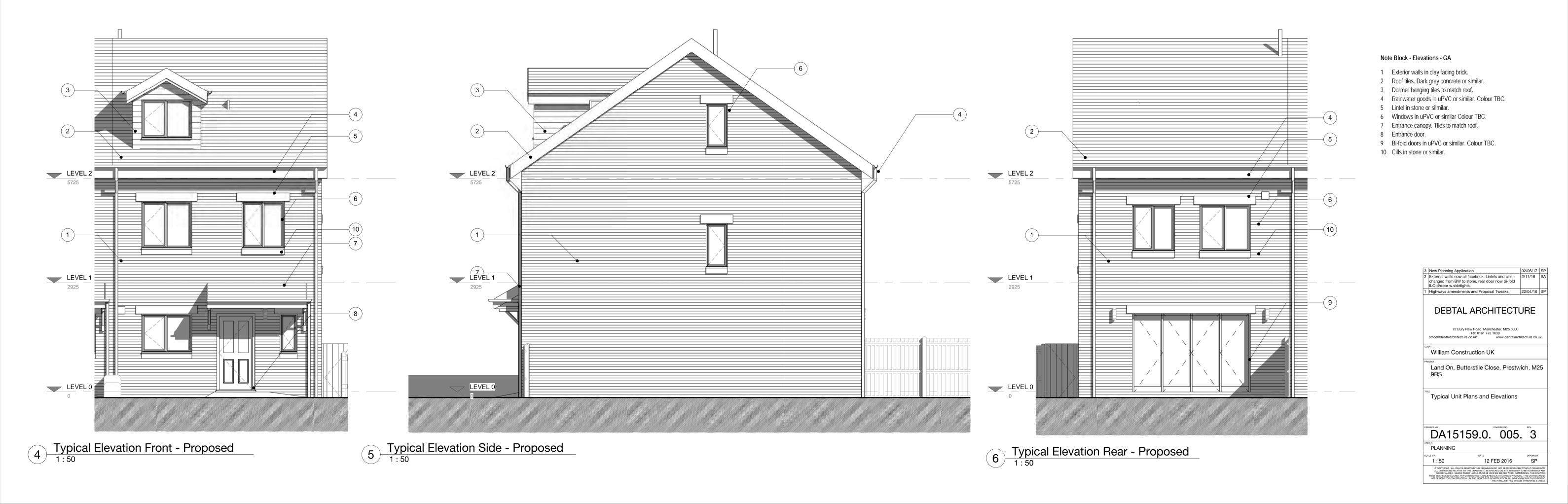
DEBTAL ARCHITECTURE 72 Bury New Road, Manchester. M25 0JU.
Tel: 0161 773 1630
office@debtalarchitecture.co.uk www.debtalarchitecture.co.uk William Construction UK Land On, Butterstile Close, Prestwich, M25 9RS Landscaping Plan

DA15159.0. DA2. 3

12 FEB 2016 SP 1:100

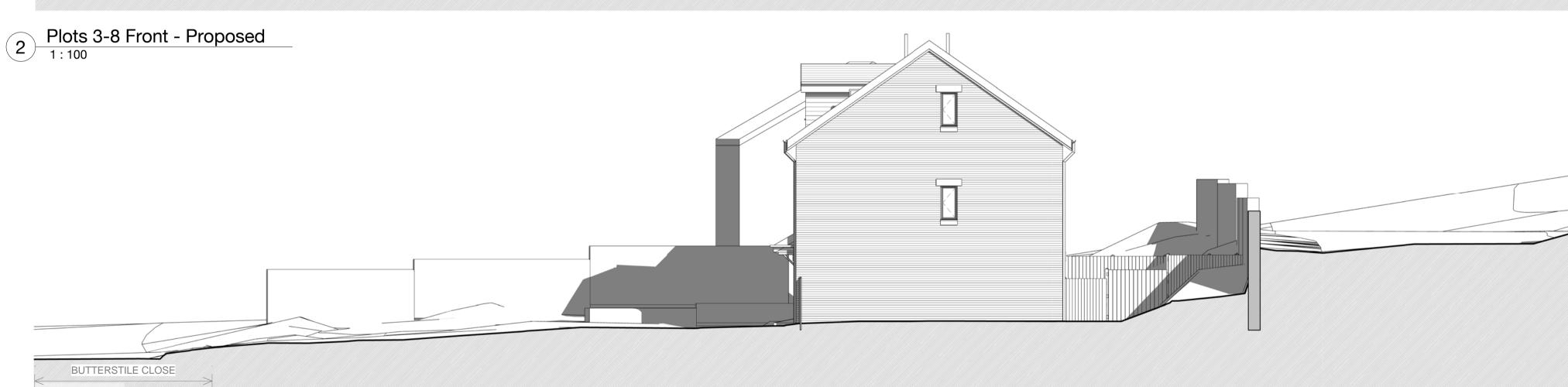
PLANNING





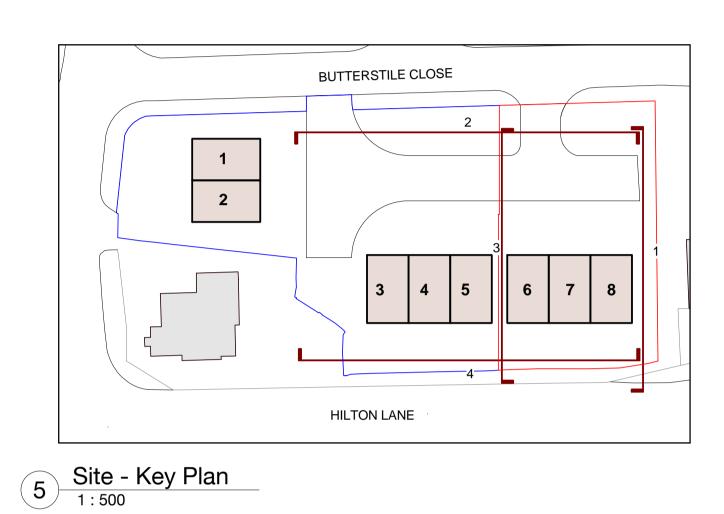


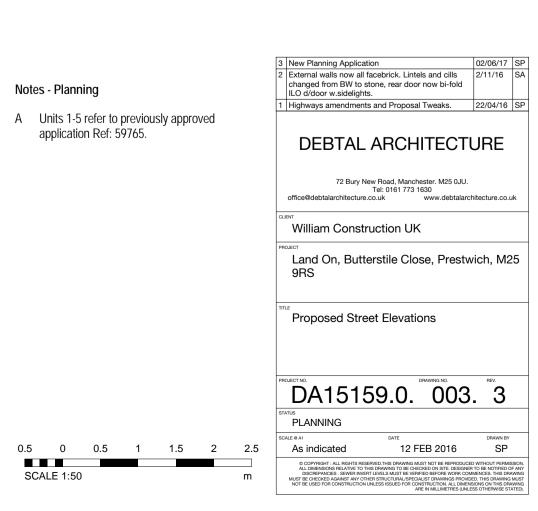


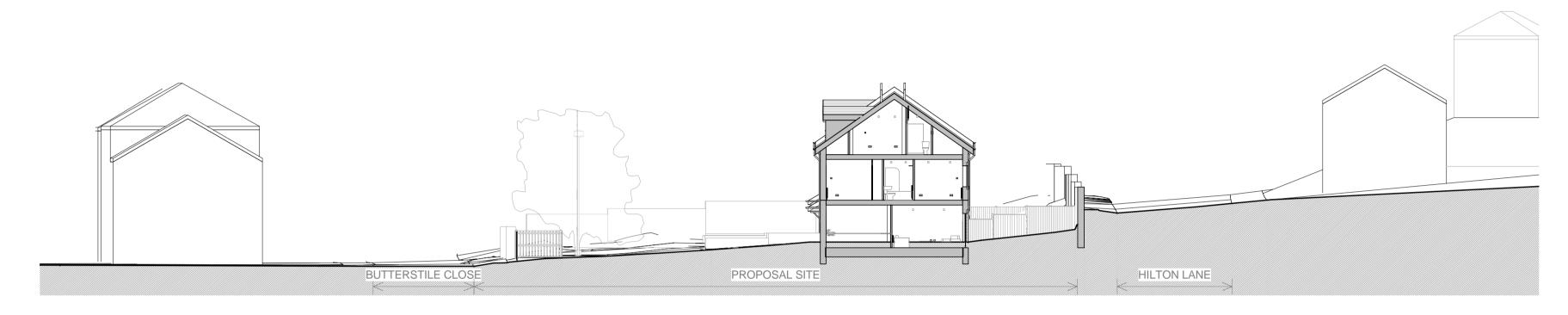




Plots 6-8 Rear - Proposed
1:100







1 Section - Site 1



2 Section - Site 2 1:200

3 New Planning Application
2 External walls now all facebrick. Lintels and cills changed from BW to stone, rear door now bi-fold ILO d/door w.sidelights.

1 Highways amendments and Proposal Tweaks.

22/04/16 SP

DEBTAL ARCHITECTURE

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CLIENT
William Construction UK

PROJECT

Land On, Butterstile Close, Prestwich, M25 9RS

TITLE

Site Sections

PROJECT NO.
DA15159.0. 004. 3

STATUS

PLANNING

SCALE 9 A1

1:200

12 FEB 2016

SP

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Ward: Radcliffe - North Item 13

Applicant: Mr & Mrs Neil Partridge

Location: Land adjacent to 5 Stanley Road, Radcliffe, Manchester, M26 4HG

Proposal: Erection of 1 no. dwelling

Application Ref: 61613/Full **Target Date:** 07/08/2017

Recommendation: Approve with Conditions

Description

The current use of the site is as residential garden associated with No. 5 Stanley Road. There is a garage on part of the site, which is subject of a separate planning application. Access to the site is taken from Snape Street, which is unadopted.

There are residential properties to the north, east and west and St Andrews School is located to the south.

The proposed development involves the erection of a dwelling on land adjacent to No. 5 Stanley Road. The proposed dwelling would be located towards the rear of the site and would be two storeys in height. The proposed dwelling would be constructed from buff brick with a tile roof. Access would be taken from Snape Street and 2 parking spaces would be provided.

Relevant Planning History

59439 - Change of use of adjoining land to residential garden and 1.80 metre high fence (Class C3); Single storey extension at side/rear at 5 Stanley Road, Radcliffe. Approved with conditions - 12 January 2016.

61612 - Removal of existing garage and erection of single storey attached garage extension at front/side and re-aligned boundary wall at 5 Stanley Road, Radcliffe. Received - 12 June 2017

Pre-application enquiry

01978/E - Erection of 1 no. dwelling with attached garage, replacement garage (to no. 5 Stanley Road) and re-alignment of boundaries at land adjacent to 5 Stanley Road, Radcliffe. Enquiry completed - 15 May 2017.

Publicity

The neighbouring properties were notified by means of a letter on 14 June 2017.

1 letter has been received from the occupiers of 52 Snape Street, which has raised the following issues:

- The proposed dwelling is not in keeping with the existing dwellings.
- Access for the property would be from Snape Street, which is an unadopted Road. The condition of the road would suffer with heavy usage particularly during construction.
- Access to existing dwellings would be blocked during construction.
- The proposed parking area for the current houses on Snape Street is unrealistic. The spaces are too small in width and length and cannot be manoeuvred into.
- Parking for No. 54 covers the entrance and would block all access to the street.
- The proposed parking locks access to put bins out for the current and proposed dwellings.

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

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to turning facilities and car parking.

Drainage Section - Comments awaited.

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

Unitary Development Plan and Policies

H1/2	Further Housing Development
110/4	The Ferrer of New Decidential Dec

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

EN1/2 Townscape and Built Design EN1/3 Landscaping Provision

EN6 Conservation of the Natural Environment

EN6/3 Features of Ecological Value

EN7 Pollution Control

EN7/5 Waste Water Management

HT2/4 Car Parking and New Development

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 - Following revocation of the North West Regional Strategy on 20 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 housing land.

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

The site would be located within the urban boundary and would be surrounded by residential properties. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with good access to public transport and services. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Design and layout - The proposed dwelling would be two storeys in height and would be

located between two storey properties to the east and a bungalow to the west. The proposed streetscene plan indicates that the proposed dwelling would be slightly lower than the properties on Snape Street (to the east) and higher than the bungalow to the west (Stanley Road). As such, the proposed development would step down appropriately and given its location towards the rear of the site, would not be a prominent feature in the streetscene.

The use of headers, cills and a canopy would add visual interest to the elevations. The proposed development would be constructed from buff brick with a tile roof, which would match the adjacent dwelling and would not conflict with the rendered properties on Snape Street.

Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - The level of private amenity space would be acceptable and there would be space to the side of the proposed dwelling for bin storage. 2 metre high timber fencing would be provided to the rear garden, which would be acceptable and would match other fencing in the area. Therefore, the proposed development 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 openings within the proposed dwelling would overlook the unadopted street and there would be 19 metres to the pavement. There would be 6 metres from the rear elevation of the proposed dwelling to the rear boundary, which would be considered to be acceptable. Therefore, the proposed development would not have a significantly adverse impact upon the amenity of the neighbouring properties.

Highways issues - The proposed development would be accessed from Snape Street and there would be appropriate levels of visibility. The parking for the proposed dwelling would be provided on land owner by 5 Stanley Road. As such, the width of Snape Street would not be reduced and the existing access arrangements would be maintained for the existing residents. No. 5 Stanley Road would be accessed by the existing driveway from Stanley Road. The Traffic Section has no objections, subject to the inclusion of conditions relating to turning facilities and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards is 2 spaces per 3 bed dwelling. This equates to 2 parking spaces for the proposed dwelling. However, the proposed development would need to maintain parking for the existing dwellings (No. 5 Stanley Road and 50, 52, 54 Snape Street).

The proposed development would provide 2 parking spaces for the proposed dwelling, which would be located adjacent to No. 5 Stanley Road. There would be 1 space for each of the properties on Snape Street and these would be located outside the respective properties. No. 5 Stanley Road would utilise the existing driveway from Stanley Street. As such, the level of car parking for the existing dwellings and the proposed dwelling 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 issues relating to design, access and parking have been addressed in the above report.

- The issue of access during construction is not a material planning consideration and cannot be taken into consideration.
- The issues of damage to the surfacing would be addressed by a condition.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

- 1. The development must be begun not later than three years beginning with the date of this permission.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- This decision relates to the drawings received on NP2-00 Rev A, NP2-01, NP2-02, NP2-03, NP2-04 and the development shall not be carried out except in accordance with the drawings hereby approved.
 Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
 Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to
- 4. No development shall commence unless and until:-

UDP Policy EN1/1 Visual Amenity.

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

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

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and

A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

6. The turning facilities indicated on approved plan reference NP2-02 shall be provided before the dwelling is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

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

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

- 7. The car parking to be retained for the resident's of Snape Street and to be provided for the new dwelling indicated on approved plan reference NP2-02 shall be surfaced, demarcated and made available for the intended respective uses prior to the dwelling hereby approved being first occupied and thereafter maintained available for the intended respective uses 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.
- 8. No development shall commence unless and until a programme of works, setting out the details and schedule of repair works to the unmade surface and parking spaces to be retained on Snape Street indicated on approved plan reference NP2-02 have been submitted to and approved in writing by the Local Planning Authority. The approved programme of works shall be carried out in full prior to occupation of the dwelling hereby approve.

<u>Reason.</u> To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

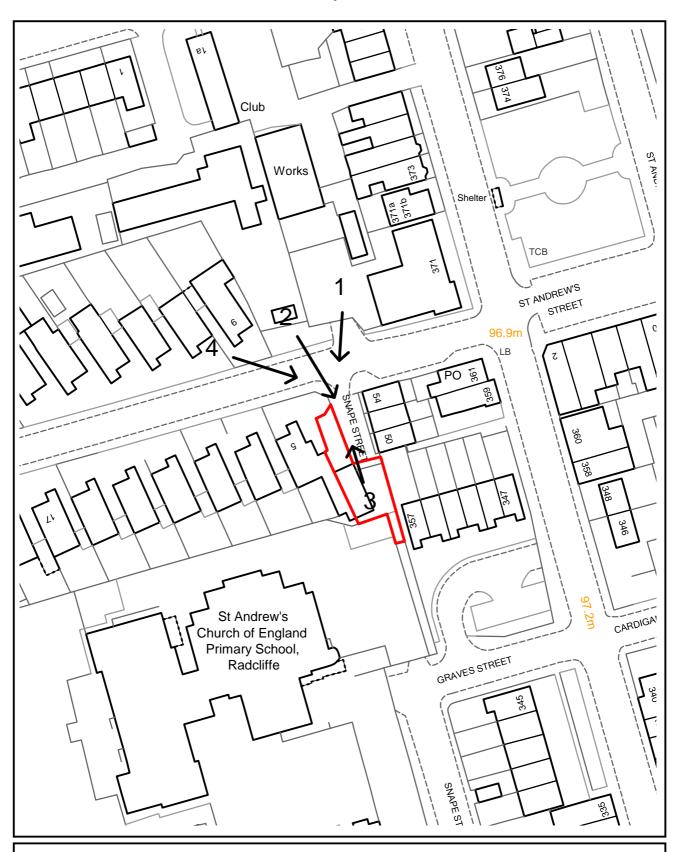
Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61613

ADDRESS: Land adjacent to 5 Stanley Road

Radcliffe

Planning, Environmental and Regulatory Services

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61613

Photo 1



Photo 2



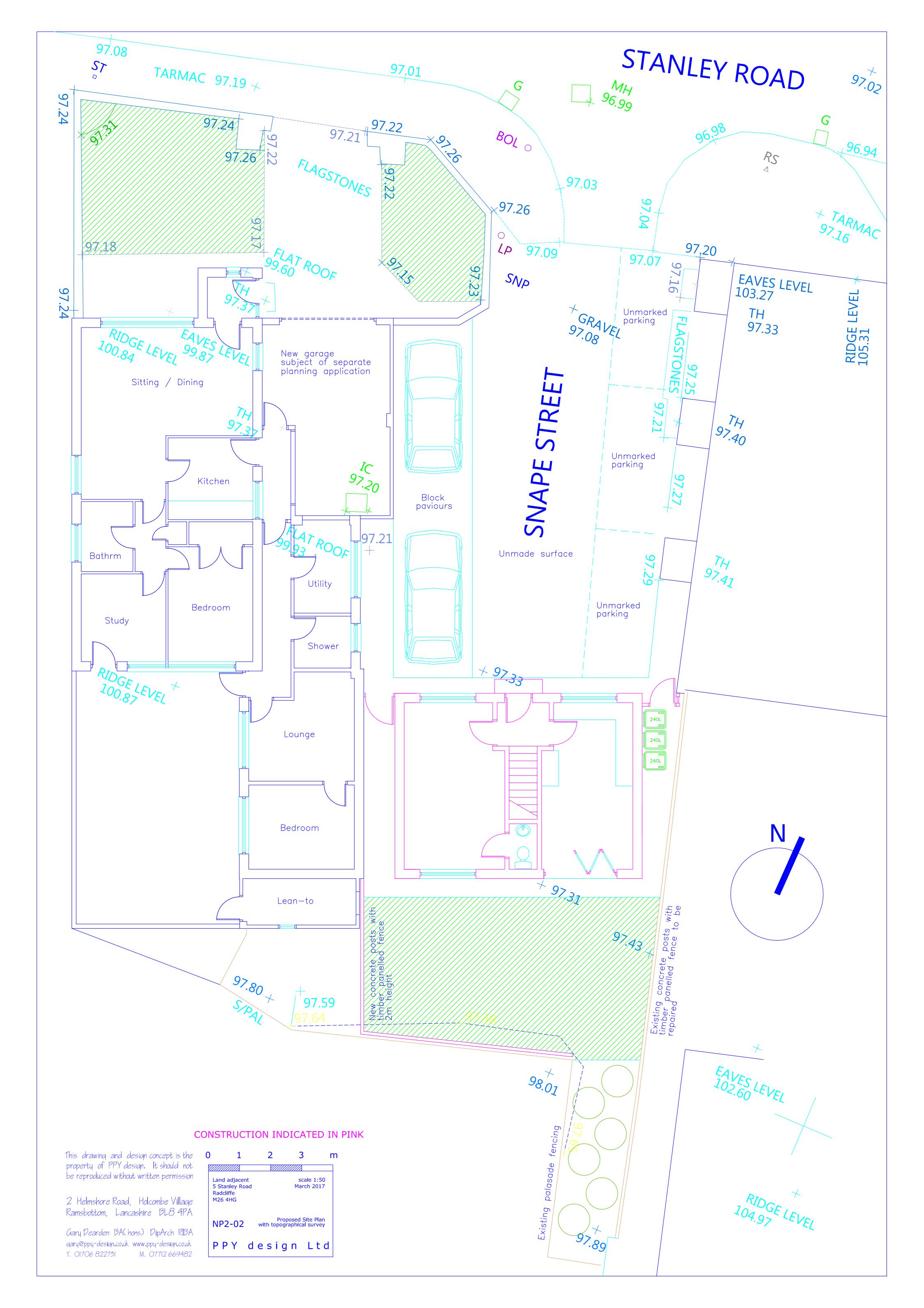
Photo 3



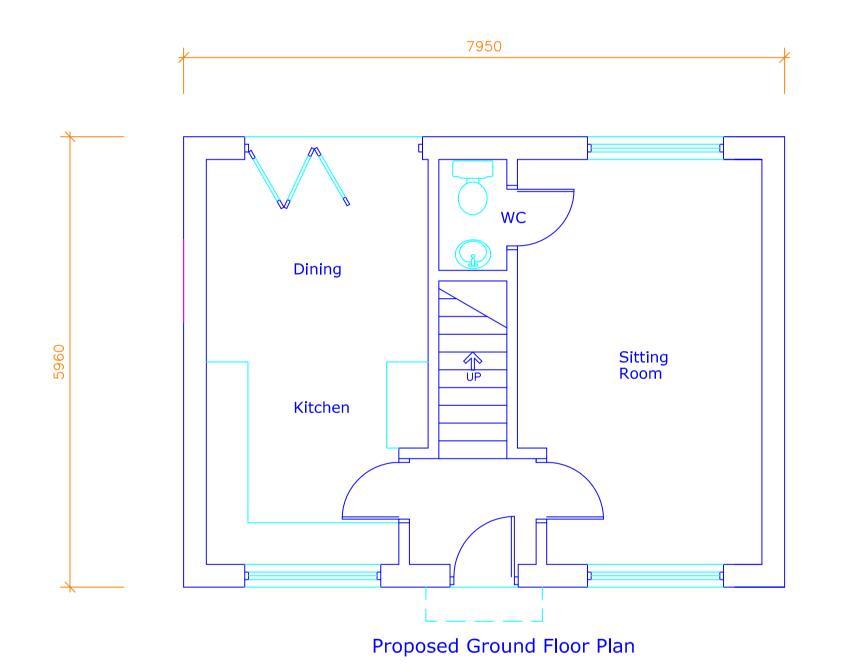
Photo 4

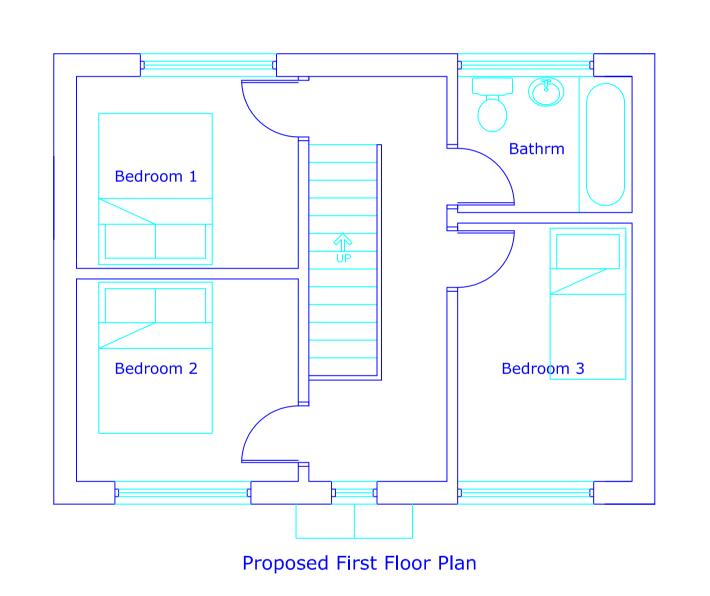








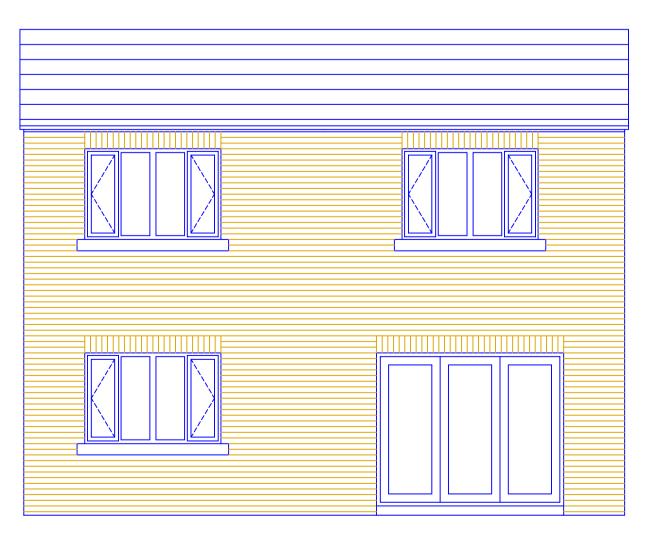




Materials:

Buff brick walls to match 5 Stanley Road.

Grey slate roof tiles to match terraces along Snape Street.



Proposed Rear Elevation

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