

Title	Planning Applications
To:	Planning Control Committee
On:	19 December 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.

Ward: Radcliffe - East

Item 01

Applicant: Mr Ikhtlaq Gorski

Location: 77 Bury Road, Radcliffe, Manchester, M26 2UT

Proposal: Outline - Demolition of existing care home and erection of 13 no. dwellings

Application Ref: 59984/Outline Planning
Permission

Target Date: 05/01/2017

Recommendation: Approve with Conditions

The application was deferred from the September Committee meeting to allow further information in relation to coal mining to be submitted and assessed.

Description

The application site comprises a level site some 0.2ha in area, with vehicular and pedestrian access off Orkney Close. There is currently a vacant 3 storey late Victorian/Edwardian former nursing home building on the site constructed in red brickwork and slate roof. The site, although flat, is slightly elevated to Bury Road and is bounded along this frontage by a low brick wall. The remaining boundary features comprise timber fencing of 2 metres in height. There are 2 trees on site, which are protected by a Tree Preservation Order (TPO) and these are on the boundaries with Bury Road and Orkney Close.

There are residential properties to the north, south and west and the Metrolink line is located to the east of the site.

The applicant seeks outline permission for the demolition of the existing care home building and the erection of 13 dwellings and includes with the means of access and scale at this stage.

The proposed dwellings would be located in two terraces - one along the frontage with Bury Road and a second at 90 degrees to the Metrolink line. The proposed dwellings would be two storeys in height with additional living accommodation in the roof space. The proposed elevation plans indicate a dormer but it should be noted that the appearance of the dwellings would be dealt with at reserved matters stage.

The proposed development would be accessed from Orkney Close with pedestrian accessed from Bury Road for plots 1 - 6.

Relevant Planning History

31647 - Extension to existing care home to provide 36 bedrooms and car parking at 77 Bury Road, Radcliffe. Approved - 13 July 1995

32898 - Demolition of existing Care home and the erection of 42 bed care home at 77 Bury Road, Radcliffe. Approved - 15 April 1997

46351 - Demolition of existing care home and erection of new 42 bed care home with ancillary accommodation and parking at 77 Bury Road, Radcliffe. Withdrawn - 14 July 2006

50227 - Outline planning application for the erection of 42 bed care home and managers apartment. Details include layout of site and access at 77 Bury Road, Radcliffe. Withdrawn - 9 October 2008.

50596 - Outline planning permission for the erection of two/three storey care home

(resubmission) at 77 Bury Road, Radcliffe. Approved with conditions - 24 December 2008.

50735 - Outline planning application for two/three storey block of 14 no. apartments at 77 Bury Road, Radcliffe. Approved with conditions - 19 February 2009.

52455 - Change of use from former residential care home to a single house (Use Class C3) at 77 Bury Road, Radcliffe. Approved with conditions - 1 June 2010.

Publicity

The neighbouring properties were notified by means of a letter on 21 October and a press notice was published in the Bury Times on 27 October 2016. Site notices were posted on 2 November 2016.

1 letter of support has been received from the occupiers of 81 Bury Road, which has raised the following issues:

- Like to strongly support the application for 13 houses as the current building is an eyesore and devalues houses in the area.
- It attracts litter and crime.
- The plans are well thought out and will not overlook existing properties.
- The design would provide a safe close for young children to play out in.
- There would be sufficient parking available.
- The proposed houses are 3 bed dwellings that would provide housing for young professionals and working families.

3 letters have been received from the occupiers of 19 Orkney Close, which have raised the following issues:

- Generally in favour of the development, but have concerns regarding parking.
- The narrow entrance to Orkney Close is often lined either side with parked cars and it can be difficult to get past to the top end of Orkney Close.
- Double yellow lines would not help as would force cars to park further up the street.
- Concerned about access for vehicles during construction.
- Overwhelmed by the number of dwellings proposed and feel that 13 is a lot given the space available.
- Concerned that the number of parked vehicles would impact upon pedestrian footpaths.

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

Consultations

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

Drainage Section - Comments awaited.

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

Design for security - Crime impact statement should be submitted at reserved matters stage.

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

Metrolink - Recommend conditions relating to stability of metrolink embankment, construction management plan and noise.

The Coal Authority - No objections, subject to the inclusion of a condition relating to coal mining.

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to bats, nesting birds and a landscape management plan and a informative relating to invasive species.

Transport for Greater Manchester - No objections, subject to the inclusion of conditions relating to the bus stop, construction management plan, acoustic insulation and detailed design for boundary treatment adjacent to the metrolink line.

Waste Management - None received.

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
H2/6	Garden and Backland Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2	Conservation and Listed Buildings
EN3/1	Impact of Development on Archaeological Sites
EN3/2	Development Affecting Archaeological Sites
EN3/3	Ancient Monuments
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle (residential) - 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.

Heritage - The building, which was last used as a nursing home, dates back to the late Victorian/Edwardian and is slightly elevated to Bury Road. The site was included within Withins Lane Colliery in 1893 and by 1907, the railway sidings had been removed and the site redeveloped to provide a single building, which was in use as a rectory. Given its architectural style and age, it is considered that the existing building would be a non-designated heritage asset.

Paragraph 135 of the NPPF states that the effect of an application on a non designated heritage asset should be taken into account when determining an application, with a balance judgement to any harm or loss and the significance of a heritage asset.

The style of the building is modest with no over embellishment. The building has been used for a number of uses over the years - rectory, offices and a nursing home, which has removed the historical interest internally. A fire escape was added to the rear, which is constructed from corrugated metal, which significantly detracts from the character of the building.

The last use of the building was as a care home in 2007 and the building has been vacant ever since. Various planning applications were submitted between 2006 and 2010 on the site, which confirmed that the building was in a poor state of repair. The various consents were not implemented and the fabric of the building has worsened over the past 10 years and the building is dilapidated and un-economic to repair. As such, it is considered that the works undertaken over the years and the dilapidation of the building have reduced the degree of significance and the demolition of the building and redevelopment of the site would be acceptable in this case. Therefore, the proposed development would be in accordance with Policy EN2 of the Bury Unitary Development Plan and the NPPF.

Design and indicative layout - The proposed dwellings would be two storeys in height with dormers and additional living accommodation in the roofspace. The existing dwellings in the area are two storeys in height and there is a mix of types and design. As such, the proposed dwellings, which are of a similar height would not be a prominent feature or appear out of scale. Whilst the proposed dormers are considered to be too large, this would be a consideration for the external appearance on the reserved matters application as this does not form part of the current outline application. The agent has been made aware of these concerns.

The level of private amenity space would be acceptable and there would be space within the rear gardens for bin storage. Two areas for use as a bin collection point would be provided for use on collection days. Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Layout - The applicant is seeking permission for the principle of residential development on the site and as such, the layout of the site and associated issues will be dealt with at the reserved matters stage.

Impact upon residential amenity - As the layout of the site has been removed from consideration at the outline stage, the consideration of the aspect standards in SPD6 would be assessed at the detailed design stage (reserved matters). However, the indicative layout shows that the aspect standards would be achievable and it would be possible to maintain suitable separation distances. Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

Trees - There are two trees on the site, which are protected by a Tree preservation Order (TPO). The trees are located on the boundary of the site with Bury Road and Orkney Close respectively. The proposed site plan indicates that both trees would be retained and tree protection measures would be secured by a condition. Therefore, the proposed development would not have an adverse impact upon the protected trees and the character

of the area and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Bats - A bat survey was submitted as part of the application and a dusk survey had been undertaken. Whilst there was no bat emergence at 77 Bury Road, commuting and foraging activity was recorded during dusk observation. As such, it is apparent that there is a roost located in relatively close proximity to the building. Therefore, it is recommended that all roof slates are removed in a careful and controlled manner prior to the demolition works. GM Ecology Unit has no objections to the proposal, subject to the inclusion of conditions relating to bats, nesting birds and a landscape management plan and an informative relating to invasive species. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Noise - The site is located adjacent to the Metrolink line. The layout of the development would be secured at this stage and the proposed indicative site plan indicates that the proposed dwellings would be 8.2 metres (gable elevation) and 62 metres (rear elevation) from the metrolink line respectively. This would be no closer than the existing dwellings on Olsberg Close as an indicative layout may change at reserved matters stage, the plans show how diastances may be achieved. Pollution Control have no objections to the proposal, subject to the inclusion of a condition relating to a noise survey and the provision of appropriate acoustic insulation and ventilation. It is considered that the proposed noise survey should be provided at the first reserved matters stage, when the detailed design and layout of the proposed dwellings would be assessed. Therefore, the proposed development would not have a significantly adverse impact upon the amenity of the future occupiers and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development would be accessed from Orkney Close and appropriate levels of visibility would be provided. The proposed development would provide a footpath along the Orkney Street boundary, which is welcomed. The proposed site plan indicates two bin collection points and the refuse vehicle would collect from Orkney Close and turning facilities would be provided. The Traffic Section has no objections, subject to the inclusion of conditions relating to highway improvements, construction traffic management plan, measures to prevent mud from passing onto the highway 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.

The Metrolink line forms the boundary to the north west of the site and Transport for Greater Manchester (TfGM) has requested additional information to be able to assess the impact upon the Metrolink line. This information has been submitted 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 26 parking spaces.

The proposed indicative site plan indicates that 22 spaces could be provided. Given that the site has good access to public transport, 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 and SPD11.

Planning Obligations - A contribution for recreation provision would be required in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1 and this would be secured by a condition at outline stage.

Response to objectors

- The issues relating to parking and layout have been addressed in the main report.
- The issues relating to parking and access during construction would be addressed by a condition relating to a construction traffic management plan.

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. 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.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. 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; the layout, the appearance and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.
3. This decision relates to drawings numbered IG1-00, IG1-01, IG1-02 B, IG1-03 A and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
4. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
5. No trees subject to a Tree Preservation Order shall be felled, lopped or topped before, during or after the construction period.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
6. The demolition works hereby approved shall be carried out in accordance with the recommendations contained in Section 10 of the Surveys in Relation to Bats and Breeding Birds, by The Tyrer Partnership, dated October 2015. If the demolition

herbey approved does not commence before 30 April 2018, the building must be re-assessed for bat roosting potential and the results supplied to and approved in writing by the Local Planning Authority.

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

7. No works to trees or shrubs shall occur or demolition commence between 1st March and 31st August inclusive in any year unless a detailed biord nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and has been submitted to and approved in writing by the Local Planning Authority.

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

8. At first reserved matters stage, a landscaping management scheme shall be submitted and shall include elements to mitigate for the loss of trees, shrubs and nesting bird habitat. The development shall be carried out in accordance with the approved details.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity and ecology pursuant to Policies EN1/2 - Townscape and Built Design, EN8/2 – Woodland and Tree Planting and EN6 - Conservation of the Natural Environment of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

9. At the first reserved matters application, a noise survey shall be submitted to the Local Planning Authority. If the ambient noise in any habitable room of any dwelling exceeds 35dB for living rooms and 30dB for bedrooms, a scheme for acoustic insulation and independent ventilation scheme requirements should be submitted, approved and implemented in accordance with the approved scheme and be in situ prior to first occupation.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

10. No development shall commence unless and until:-

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

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

11. Following the provisions of Condition 10 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.

12. Following the provisions of Condition 10 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.
13. As the development comprises 13 units, the development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure recreation provision, which shall include a mechanism for delivery, in accordance with policy RT2/2 – Recreation Provision in New Housing Development and its associated SPD1 – Open Space, Sport and Recreation Provision in New Housing development. The scheme shall be submitted as part of the reserved matters application and the recreation provision shall be delivered in full accordance with the approved details.
Reason - To ensure that the development would contribute to satisfying the need for recreation provision pursuant to Bury Unitary Development Plan Policy RT2/2 - Recreation Provision In New Residential Development and the associated Supplementary Planning Document 1 - Open Space, Sport and Recreation in New Housing Development.
14. Notwithstanding the details indicated on approved plan reference IG1-02 Revision B, full details of the following highway aspects shall be submitted at first reserved matters application stage:
 - Topographical survey of the site and surrounding adopted highways to confirm the correct limits of adoption;
 - Formation of the proposed means of access to the site from Orkney Close to a specification to be agreed, incorporating the reinstatement of the redundant access, widening of the block paved carriageway to a minimum of 5.5m in width across the proposed junction, widening of the northerly footway abutting the site to a minimum of 1.8m in width and all necessary highway and highway drainage remedial works;
 - Formation of pedestrian accesses to the plots fronting Bury Road including all alterations required to the existing boundary treatment and all necessary highway remedial works;
 - Provision of visibility splays at the proposed junction with Orkney Close in accordance with the standards in Manual for Streets;
 - Adequate in-curtilage bin storage arrangements at each plot and refuse collection facilities at the interface with the adopted highway for use on collection day, to be agreed with Waste Management;
 - Proposed internal private road/footway layout to the appropriate standards in Manual for Streets;
 - Adequate turning facilities within the curtilage of the site with associated swept path analysis;
 - Provision of a street lighting scheme for the proposed residential development

and the junction of the proposed access with Orkney Close and proposals to improve existing lighting levels if required as a result of the assessment. The details subsequently approved shall be implemented to an agreed programme.

Reason. 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, 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.

15. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing with the Local Planning Authority and shall confirm/provide the following:
- Access route for demolition/construction traffic from the highway network;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials.

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

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

16. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

17. The car parking indicated on approved plan reference IG1-02 Revision B shall be surfaced, demarcated and made available for use 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.

18. At the first reserved matters stage, a scheme for acoustically insulating the proposed development against noise and vibration from the adjacent Metrolink line shall be submitted to and approved in writing by the Local Planning Authority. The approved noise insulation scheme shall be completed before first occupation of the dwellings hereby approved.

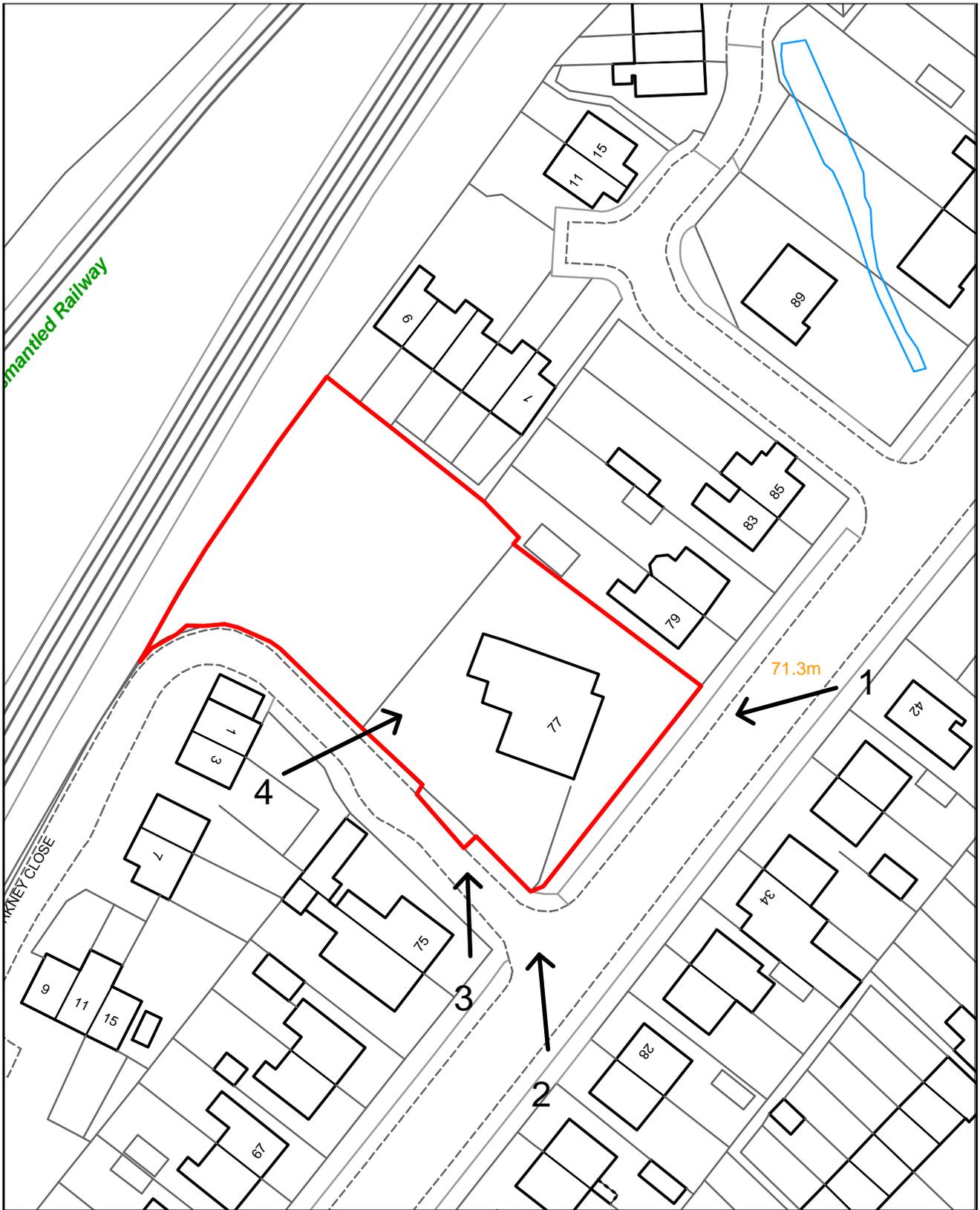
Reason. To secure a reduction in noise from Metrolink in order to protect future residents from noise nuisance, pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

19. At first reserved matters stage, the detailed design for the boundary treatment with the operational Metrolink line shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented as part of the development hereby approved.

Reason. To ensure that the boundary treatment is suitable for installation adjacent to an operational Metrolink line 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 59984

**ADDRESS: 77 Bury Road
Radcliffe**

Planning, Environmental and Regulatory Services

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59984

Photo 1



Photo 2

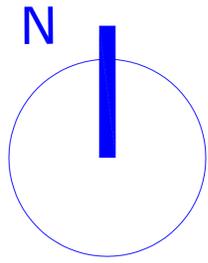


Photo 3



Photo 4





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Land at 77 Bury Road
 Radcliffe M26 2UT
 scale 1:200@A1
 April 2016

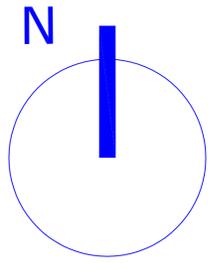
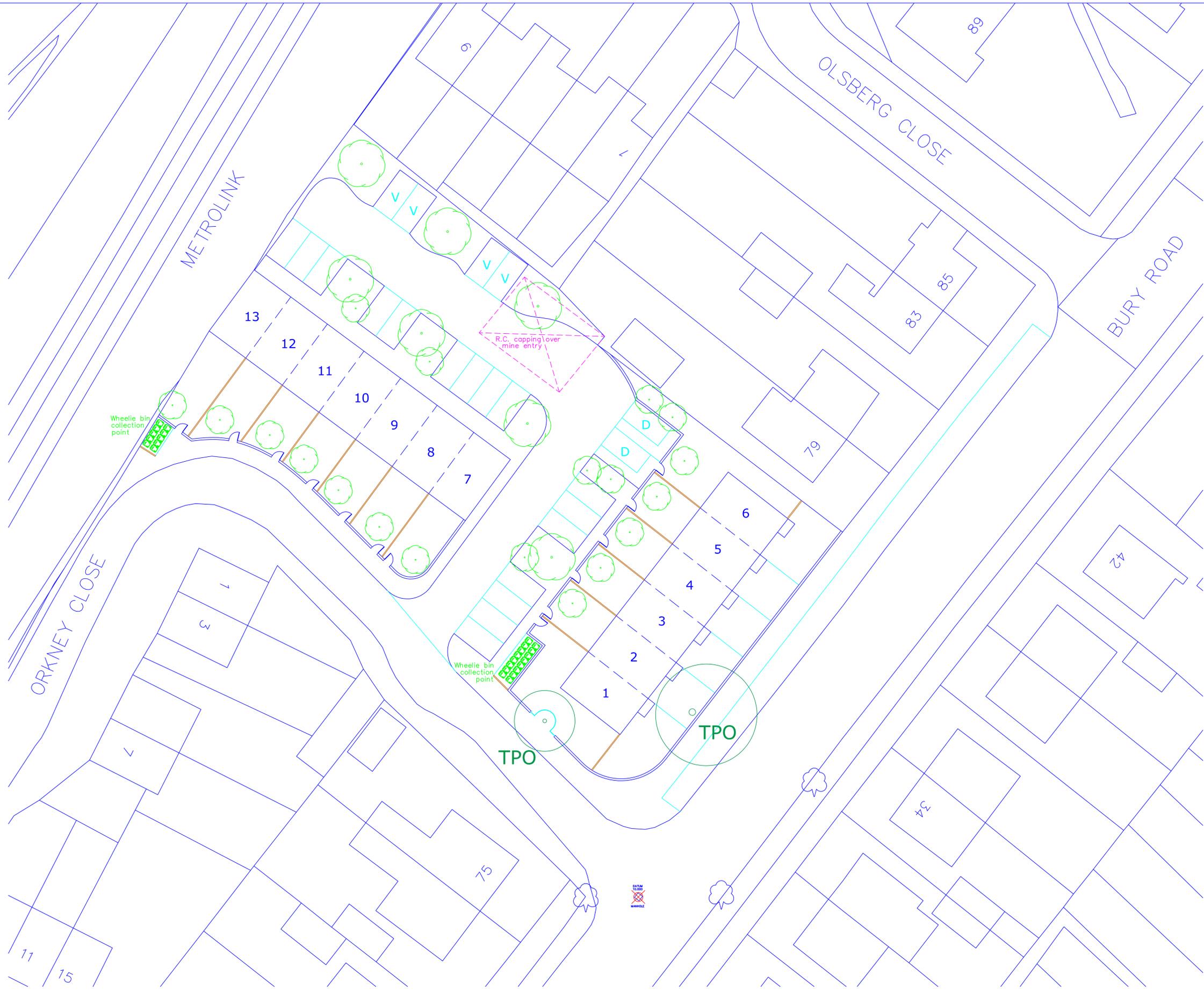
IG1-01 Existing Site Layout showing levels

PPY design Ltd

2 Helmshore Road, Holcombe Village
 Ramsbottom, Lancashire BL8 4PA

Gary Dearden BArch (hons) DipArch RIBA
 gary@ppy-design.co.uk www.ppy-design.co.uk
 tel/ fax 01706 822731 mobile 01712 669482

EXISTING SITE LAYOUT



Schedule:

13no. 3 bed dwellings
on 2 storeys plus within loft
utilising dormers

- B Layout amended 02.02.2017
- A Historic mine entry indicated 15.12.2016

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Land at 77 Bury Road
Raddiffe
M26 2UT
scale 1:200@A1
April 2016

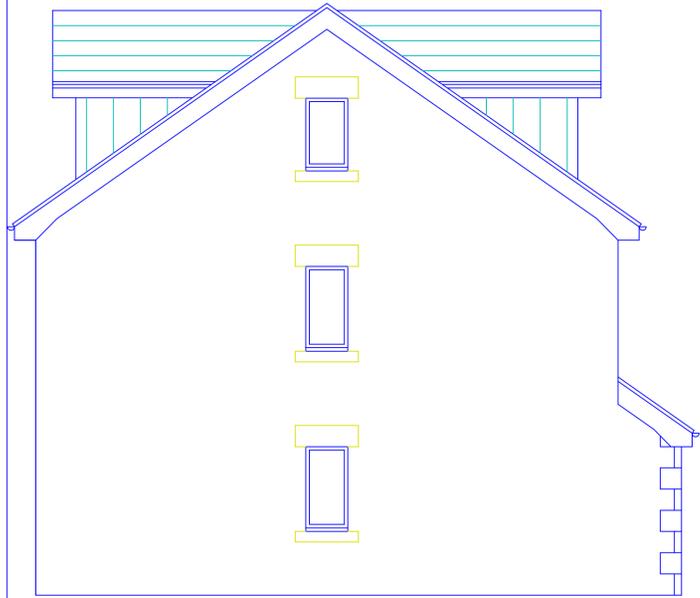
IG1-02B Proposed Site Layout

PPY design Ltd

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BLB 4PA

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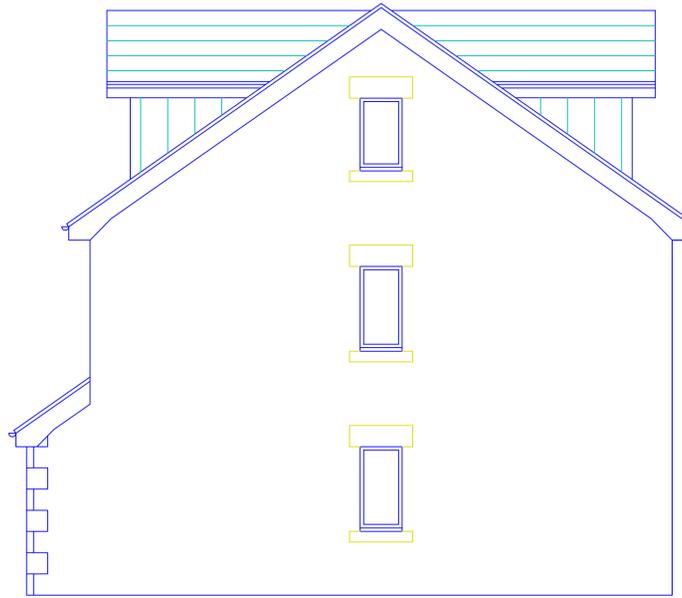
PROPOSED SITE LAYOUT



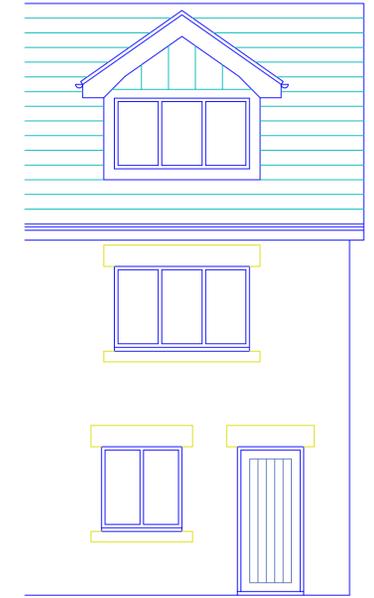
PROPOSED SIDE ELEVATION



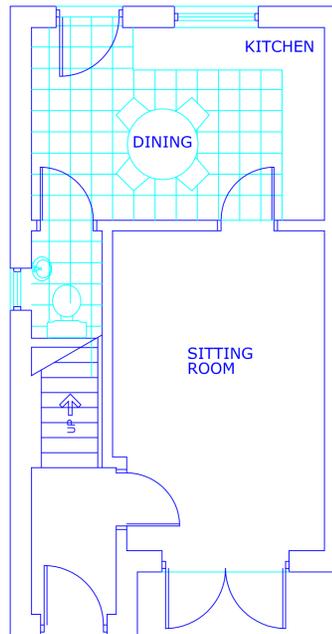
PROPOSED FRONT ELEVATION



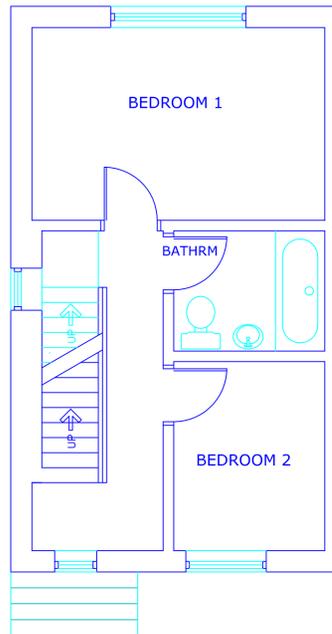
PROPOSED SIDE ELEVATION



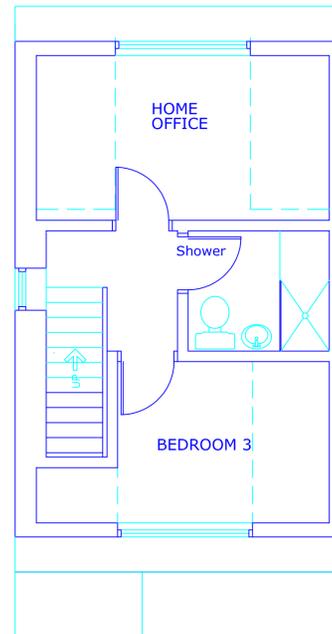
PROPOSED REAR ELEVATION



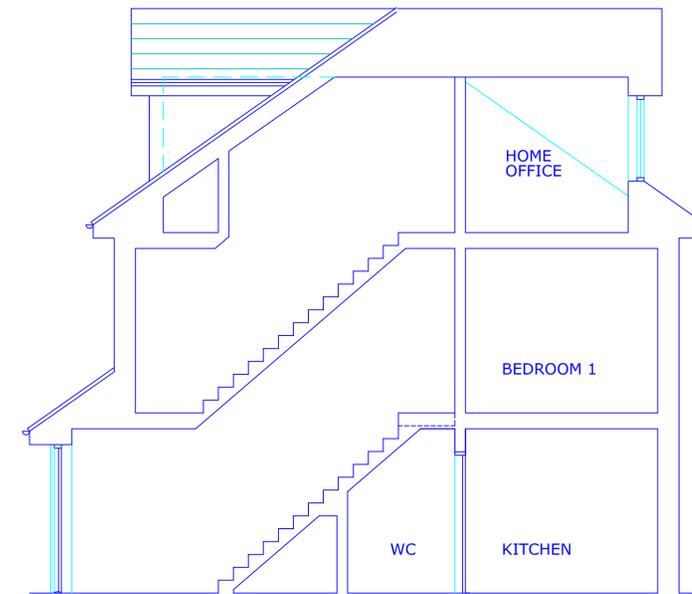
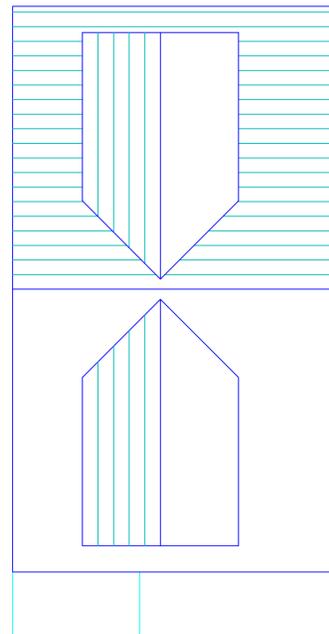
PROPOSED PLAN
GROUND FLOOR



PROPOSED PLAN
FIRST FLOOR



PROPOSED PLAN
SECOND FLOOR



PROPOSED SECTION



PROPOSED
STREET ELEVATION

A Windows added to side elevations 26.09.2016

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0 1 2 3 M

Land at 77 Bury Road Radcliffe M26 2UT	scale 1:50@A1 April 2015
IG1-03A	House Type A
PPY design Ltd	

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Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Gladman Care Homes limited

Location: Land off Factory Street, Ramsbottom, Bury, BL0 9BT

Proposal: Variation of conditions 3,7,8 & 11 of planning permission 59005 to allow demolition of the buildings

Application Ref: 62046/Full

Target Date: 12/12/2017

Recommendation: Minded to Approve

This application is minded to approve in order to allow a legal agreement to be completed to link the application to the agreement from the previous application (59005)

Description

The site is located within an Employment Generating Area (EGA) and is a former Council yard, which has been used for the storage of plant and machinery. There is a building in the south western corner of the site, which is constructed from profiled metal sheeting and the remainder of the site is a hardstanding. The site is bounded by a 2 metre high concrete panel fence and trees to the all boundaries. There are two vehicular accesses to the site from Factory Street.

Factory Street, Ramsbottom Lane and Stubbins Lane for the boundary to the west with residential properties beyond. There is a bus terminus and Porrit Way to the north with a petrol station beyond. Ramsbottom pool and fitness centre and associated recreation land is located to the east with the East Lancashire Railway line and River Irwell beyond. There are industrial buildings to the south, which form part of the EGA.

Planning permission was granted in August 2016 for the demolition of the existing building and the redevelopment of the site for residential accommodation (Class C2) with care. The building would contain 57 apartments for persons aged 65 or over and would offer various care packages. The proposed building would be predominantly three storeys in height with some two storey elements, where there would be living accommodation in the roofspace. The proposed building would be constructed from stone and render with concrete roof tiles. Vehicular access to the site would be taken from Factory Street at the southern end of the site leading to a car park of 37 spaces, including 6 disabled parking bays. Two pedestrian accesses would be created from Factory Street and an outdoor recreational area would be provided to the north and south east of the site.

The proposed development involves the variation of conditions 3, 7, 8 and 11 to allow the demolition of the buildings to take place prior to the submission of the contaminated land report (Condition 3), landscaping scheme (Condition 7), drainage scheme (Condition 8) and details of highway works (Condition 11).

Relevant Planning History

35747 - Change of use from waste transfer station to open storage of civil engineering plant and machinery at GMWDS waste disposal site, Stubbins Lane, Ramsbottom. Approved with conditions - 16 November 1999.

45117 - Mixed use - residential/offices/workshops at Storage yard, Stubbins Lane/Factory Street, Ramsbottom. Approved with conditions - 15 November 2005.

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 off Factory Street, Ramsbottom. Approved with conditions - 10 August 2016.

61730 - Non-material amendment following grant of planning permission 59005:

- Amend the mix of apartments to 16 x one bedroom apartments, 14 x two bedroom apartments, 21 x two bedroom apartments with en-suite, 6 x three bedroom apartments with en-suite.
- External changes - amendments to rooflights, windows and kitchen flue position and number of gables on south elevation increased from 2 to 3.
- Footprint - Amendment to footprint of building (see site plan) at land off Factory Street, Ramsbottom. Approved - 22 August 2017.

Publicity

The neighbouring properties were notified by means of a letter on 19 October 2017.

3 letters have been received from the occupiers of 42 Crow Lane and 30 Factory Street, which have raised the following issues:

- There is a history of homes being flooded on Crow Lane and Factory Street due to the inadequate capacity of the existing old mains sewer.
- At recent meetings of the Ramsbottom flood action group, we were told that no consultation is carried out with the Council, United Utilities or the Environment Agency prior to granting planning permission. You must consult with UU before granting planning permission or Bury MBC will be considered culpable.
- This development will only increase the surface water and sewage problems on Crow Lane.
- The site is located on a very busy junction, with limited visibility and has parked cars, lorries and trailers on Ramsbottom Lane and Crow Lane.
- There have been a number of accidents in this area - please consider the safety of the public in this area with the proposed plans. You must look at ways to slow the traffic down and make pedestrian access in the area safer.
- We did not object to the original proposal, but do object to the proposal to demolish buildings before the landscaping, drainage and remediation plans are agreed, simply because this agreement may take some time.
- During the time taken to address these issues, the site could be left insecure and vulnerable to trespassers as a 10 metre frontage onto Factory Street would be opened up by the removal of the building. Currently the site is secure, and the building and gate prevents access to the site.
- It has been over a year since permission was granted and we do not consider the urgency to start works before discharging the planning duties is a reasonable request.
- We also object to the proposed changes to the permission brought to our attention by the project manager - namely the removal of all the trees on the southern boundary and the replacement of the wall. We do not agree to the removal of the trees or the wall regardless of when the demolition is carried out.

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

Consultations

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

Drainage Section - No response.

Environmental Health - Contaminated Land - No objections, subject to the inclusion of a condition relating to a pre-demolition asbestos survey.

Unitary Development Plan and Policies

EC2/1 Employment Generating Areas

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
H4/2	Special Needs Housing
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF3	Social Services
CF3/1	Residential Care Homes and Nursing Homes
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD14	Employment Land and Premises
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle - The concept and details relating to the site's redevelopment have been approved, with a valid and extant planning permission. This application centres upon timings to allow the submission of the relevant reports or schemes for contaminated land (Condition 3), landscaping (Condition 7), drainage (Condition 8) and details of highway works (Condition 11) following the demolition of the existing buildings on site.

The proposed amendment to the conditions would not allow any building works to be commenced until the relevant details had been provided to and approved in writing by the Local Planning Authority. The proposed amendment would not impact upon the amenity of the neighbouring residents or visual amenity of the site and is considered to be acceptable. Therefore, the proposed development would be in accordance with Policies EN1/2 and EN7 of the Bury Unitary Development Plan.

Bats/ecology -The proposed development would not amend condition 6, which requires the demolition works to be carried out in accordance with the details in the Ecological Appraisal, dated July 2015. As such, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Planning Obligations - A deed of variation is required to link the current consent with the requirements of the previous legal agreement relating to a contribution for the loss of employment land and to restrict occupancy to those requiring care.

Response to objectors

The objections relating to flooding, surface water and sewage problems and traffic impacts were assessed during application 59005 and are not material to this application. Consultation was carried out with United Utilities and the Environment Agency on the previous application (59005) and both had no objections to the development.

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: Minded to Approve

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 P1-101, S14-010 Rev A, 06570-P1-102 B, 06570-P1-111 A, 06570-P1-122 A, 06570-P1-121 A, 06570-P1-131 A, 06570-P1-132 *, 06570-P1-141 B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development, other than demolition, shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
 - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
 - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
6. The precautionary measure for bats shall be carried out in accordance with the details contained in the Ecological appraisal by FPCR, dated July 2015 (Sections 4.12 to 4.16).

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.
7. No development, other than demolition, shall commence unless or until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The contents of the plan should include elements that benefit wildlife. The approved plan shall be implemented in accordance with the approved details, not later than 12 months from the date the building 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.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan, and Section 11 of the National Planning Policy Framework.
8. No development, other than demolition, 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.
9. The restaurant shall be for the use of residents of the care home and their guests and employees, and shall not be open to the general public.

Reason. To control and regulate the use of the building to ensure there is adequate parking provision pursuant to Policy HT2/4 - Car Parking of the Bury Unitary Development Plan and SPD11.
10. The hair salon shall be for the use of residents of the care home and shall not be open to the general public.

Reason. To control and regulate the use of the building to ensure there is adequate parking provision pursuant to Policy HT2/4 - Car Parking of the Bury Unitary Development Plan and SPD11.

11. Notwithstanding the details shown indicatively on approved plan reference 1419/01 Revision C, no development, other than demolition, shall commence unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
- Realignment of the junction of Factory Street with Ramsbottom Lane/Stubbins Lane to a specification to be agreed, incorporating the provision of a pedestrian refuge, reinstatement of the redundant site access, provision of a 2.0m min. footway, demarcation of the limits of the adopted highway and all associated highway, street lighting, road marking and highway drainage remedial works;
 - Formation of the proposed development access road onto Factory Street to a specification to be agreed incorporating the provision of a 2.0m min. wide footway, demarcation of the limits of the adopted highway and all associated highway, street lighting, road marking and highway drainage remedial works;
 - Reconstruction and widening of the existing footway abutting the site on Factory Street to a minimum of 2.0m in width between the junction of Factory Street with Ramsbottom Lane/Stubbins Lane and the proposed development access road to a specification to be agreed;
 - Provision of a street lighting scheme for the realigned junction and length of Factory Street abutting the site.

The details subsequently approved shall be implemented to an agreed programme.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

12. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by the Local Planning Authority and shall confirm/provide the following:
- Access route for construction traffic from the highway network;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials.

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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highway 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 following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

13. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any

vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

14. The visibility splays indicated on approved plan reference 1419/01 Revision C shall be implemented before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
15. The turning facilities indicated on approved plan references 06570 P1-102 Revision B, 1419/SP/01 Revision B and 1419/SP/02 Revision B shall be provided before the development is first occupied and these areas used for the manoeuvring of delivery/service vehicles shall subsequently be maintained free of obstruction at all times
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
16. The car parking indicated on approved plan reference 06570 P1-102 Revision B shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
17. The development hereby approved shall not be brought into use unless and until the measures and facilities indicated on the approved plans and detailed in the submitted Travel Plan Statement have been implemented to the written satisfaction of the Local Planning Authority.
Reason. In order to deliver sustainable transport objectives pursuant to the following Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and the National Planning Policy Framework.

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

Swimming Pool & Fitness Centre



Key:

- - - Outline of the previously proposed building.
- Application site boundary line.
- Interim car park, refer to Parking Statement.

N

0 2 4 6 8 10 12 14
scale in metres

1:200

A	13.04.18	Scheme/layout amended to suit requirements along East Boundary.	TW
Rev	Date	Revision notes	By
		DO NOT SCALE	
ADLINGTON Independent living with care			
Planning			
Project Title Factory Street RAMSBOTTOM			
Drawing Title Site Plan			
Date	Scale	Drawn	
July 2015	1:200@A1	TW	
Project No.	Drawing No.	Rev	
06570	P1 - 102	A	

Ward: Whitefield + Unsworth - Unsworth

Item 03

Applicant: Mr John Parkinson

Location: 122 Hollins Lane, Bury, BL9 8AH

Proposal: Variation of condition no. 2 (approved plans) of planning permission 60576 for amendment to the red edge site to permit a revised car parking arrangement and relocation of double garage

Application Ref: 62114/Full

Target Date: 28/12/2017

Recommendation: Approve with Conditions

Description

The application relates to a backland site which forms the rear garden of No 122 Hollins Lane, a detached dwelling which fronts a main road. The property has a driveway at the side, next to which is a row of terrace cottages fronting Hollins Lane. The site shares its northern boundary with Unsworth Methodist Church, and to the south, east and western boundaries are the rear gardens of houses on Chapel Close, Church Meadow and Hollins Lane.

Planning permission was granted in November 2016 for the redevelopment of the site to convert No 122 Hollins Lane into 2 No. dwellings and construct 2 new dwellings in the rear garden.

The conversion of No 122 Hollins Lane involved the demolition of part of the southern gable of the dwelling, the demolition of the single storey element on the side, and the store rooms and garage at the rear. Each dwelling would provide 2 bed accommodation with new main entrances created on the side elevation and garden areas to the front and rear. 4 No. parking spaces in total were to be provided, 3 located behind the rear garden of No 120 Hollins Lane and 1 to the rear of No 122A Hollins Lane.

The new dwellings comprised a 'main' house, 2.5 storey in height located in the eastern part of the site adjacent to the northern boundary. The house would provide 5 bed accommodation, a double garage and side/rear garden. The other dwelling would be a 2 bed dormer bungalow located in the southern part of the site with garden areas and parking. Access to the dwellings would be via the existing driveway which runs down the side of No 122, which would be widened following the partial demolition.

This application is for an amendment to the layout of the site which seeks to re-locate the parking spaces allocated for Nos 122 and 122A Hollins Lane and would involve the inclusion of part of the rear garden of No 120 Hollins Lane into the application site area. This land is in the ownership of the applicant.

It is proposed to re-locate the single parking space, formally to be positioned behind No 122A Hollins Lane, next to the 3 spaces opposite. This would provide a row of 4 No. parking spaces in total. The parking area would move approximately 5m into part of the rear garden of No 120 Hollins Lane.

The footprint of the double garage proposed to serve the new detached dwelling would be moved slightly to the west, directly behind the garden area of No 122A.

The application therefore seeks a Variation of Condition (Section 73 application) to amend the approved site layout and red edge location plan.

Relevant Planning History

01839/E - Pre-app enquiry for conversion of existing dwelling into no.2 dwellings & construction of 2 storey detached house with a single storey family annex on land to rear. - Enquiry completed 15/06/2016
43560 - Conversion of double garage to playroom and store room; formation of mono pitch roof over - Approve with Conditions 17/12/2004
60576 - Partial demolition and conversion of existing dwelling into 2 no. dwellings and construction of 1 no. dwelling and 1 no. bungalow and creation of 7 no. parking spaces - Approve with Conditions 23/11/2016
17/0480 - Not built according to plan - 17/11/2017

Publicity

31 letters sent on 3/11/2017 to properties at Nos 102-120 (evens), 103-115 (odds) Hollins Lane; 1-6 Sykes Avenue; 8,11 Chapel Close; 33, 35, 37, 37A, 37B Church Meadow; Unsworth Methodist Church, Hollins Lane.

One letter of objection received from No 118 Hollins Lane which has raised the following issues:

- Am the owner of No 118, and rent the property out, but have had no notice, paperwork or any communication and am totally against the proposal as it would not only affect the value of my house and the rental appeal of the property but is a ludicrous change to the land;
- It would mean my next door now has no back garden and vehicles can just about park at the back door and my garden would be next to a car park;
- Not sure if the person who has bought No 122 has also purchased No 120 to be able to even try and do this

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

Consultations

Traffic Section - No objection subject to conditions.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

Issues and Analysis

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

Principle - The redevelopment of the site has been approved in principle following the grant of planning permission reference 60576.

Matters under consideration involve layout and access, impact on residential amenity and

parking.

Layout and access - The main alteration to the layout of the site would involve using part of the garden of No 120 Hollins Lane. This is in the ownership of the applicant.

The plans show the garden of No 120 is currently 15m in length which would be reduced to 8m to accommodate the row of parking spaces. This would in turn increase the area in front of the proposed new build dormer bungalow which would allow more space to manoeuvre a vehicle around this part of the site.

The only other amendment would be to slightly re-position the footprint of the double garage to the area directly behind the garden of No 122A. This would increase the length of the gravel driveway to the new main house.

The layout of the site would not change radically to the originally approved scheme. There would be no alterations to the access into or out of the site and no repercussions in terms of manoeuvring a vehicle into and out of the spaces.

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

Impact on residential amenity - The proposed development would result in 4 parking spaces located behind part of the rear garden of No 118 Hollins Lane, and as such, there would be some activity to this area where there was non previously proposed.

The revised layout plan proposes the erection of a new 1.8m high post and panel fence which would separate the garden from the parking spaces. This would not only screen cars from views from the garden but would also aide in providing an acoustic barrier between the two areas.

The parking of cars next to gardens is not an uncommon arrangement within residential areas, and the scale of the development to provide 4 spaces would also be relatively minor. It is considered there would not be a significant increase in activity, noise and disturbance to this area, and therefore not a detrimental impact on the amenity of the occupiers of No 118 Hollins Lane, and as such considered to comply with UDP Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/6 - Garden and Backland Development.

Parking standards - There would be no alteration to the numbers of parking spaces provided to serve the development and as such acceptable levels of parking would be retained.

Response to objections

- Publicity - Letters were issued as set out in the report above. Legislation requires the LPA's notice to be served on the owner or occupier. The LPA has complied with its obligation for the publicity of the application. Whether or not the applicant has communicated with the objector is a private matter. The application involves only the applicant's land as confirmed by the certification.
- The plans show that there would be a remaining garden depth of 8m.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered - HLD 01C; HLD 02; HLD 03; HLD 04A; HLD 05B; HLD 06, and the development shall not be carried out except in

accordance with the drawings hereby approved.

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

2. Following the provisions of Condition 3 of planning permission ref 60576, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within the 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.

3. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;

The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

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

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

5. The development shall be carried out in accordance with the Tree Protection Measures and Plan detailed in the submitted Arboricultural Report by Birtle Tree Services Ltd dated August 2016, BS 5837:2012 "Trees in relation to design, demolition and construction" and as detailed on plan ref HLD 09A submitted for condition 8 of planing reference 60576. The measures required by the British Standard shall be implemented prior to the commencement of the development hereby approved and shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree

Planting of the Bury Unitary Development Plan and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

6. The development shall be carried out in accordance with the details of the landscaping scheme submitted on plan HD 12 as part of discharge of condition 9 of planning permission 60576. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 11 - Conserving and enhancing the natural environment of the NPPF.
7. The development hereby approved shall be carried out in accordance with the drainage plan and scheme, ref HLD 11A and details submitted for part discharge of condition 10 of planning permission 60576. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. 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.
8. The development hereby approved shall be carried out in accordance with the details of materials submitted for part discharge of condition 11 of planning permission reference 60576. The approved details only shall be used for the construction of the development hereby approved.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/6 - Garden and Backland Development.
9. The development hereby approved shall be carried out in accordance with the phasing scheme of demolition, rebuild and access arrangements as submitted on plan ref HLD09A for part discharge of condition 12 of planning reference 60576.
Reason. To ensure the development is carried out to an appropriate and achievable timetable to ensure there is no detrimental impact on the amenity of adjacent occupiers or highway safety pursuant to Bury unitary development plan Policies and Backland Development and EN1/2 - Townscape and Built Design.
10. The formation of the widened access onto Hollins Lane indicated on the approved plans, incorporating all associated adopted footway improvements, improvements to visibility, provision of a segregated footway within the site and provision of passing places, shall be carried out to an agreed programme and to the approval of the Local Planning authority in accordance with the details submitted for the part discharge of condition 13 of planning permission 60576.
Reason. 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, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, H2/4 - Conversions, H2/6 - Garden and Backland Development and HT6/2 - Pedestrian/Vehicular Conflict.
11. The development hereby approved shall be carried out in accordance with the details, measures and facilities in the approved 'Construction Traffic Management Plan' (CTMP) submitted for condition 14 of planning application 60576. The approved plan shall be adhered to throughout the demolition/construction period

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

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

12. The development hereby approved shall be carried out in accordance with the details submitted for condition 15 of planning application 60576 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 during the period of demolition/construction.
Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT4 - New Development.
13. The visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development and widened site access road is brought into use and subsequently maintained free of obstruction above the height of 0.6m on land within the applicant's control.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and RT6/2 - Vehicular/Pedestrian Conflict.
14. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential development, Garden and Backland Development and HT2/4 - Car parking and New Development.
15. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings to which they relate hereby approved being occupied.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
16. The new 1.8m high post and panel boundary fence to the side garden of No 118 Hollins Lane, as detailed on proposed site plan ref HLD 01C shall be erected as approved prior to the first occupation of the development hereby approved. The approved boundary fence shall thereafter be maintained as approved.
Reason - To secure the satisfactory development of the site and in the interests of residential amenity pursuant to Policies H2/1 - The form of New Residential Development, HT2/2 - The Layout of New Residential Development , H2/6 - Garden and Backland Development and EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

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Photo 1



Photo 2



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Photo 3



Photo 4



