

Title	Planning Applications
To:	Planning Control Committee
On:	25 June 2019
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 **App No.** 63523

Location: Land at rear of 2-12 Bealey Avenue, Radcliffe, Manchester

Proposal: Erection of 1 no. dwelling

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

02 **Township Forum - Ward:** North Manor **App No.** 63630

Location: Land off Kay Street, Summerseat, Bury

Proposal: Erection of single building containing 16 no. dwellings and associated car parking; Creation of an upgraded vehicular access from Kay Street

Recommendation: Minded to Approve **Site Visit:** Y

03 **Township Forum - Ward:** Prestwich - Holyrood **App No.** 64173

Location: Heaton Park Congregational Church, Bailey Street, Prestwich, Manchester, M25 1HQ

Proposal: Change of use from church (Class D1) to housing office (Class B1)

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

04 **Township Forum - Ward:** Radcliffe - West **App No.** 64199

Location: Land at Hutchinson Way, Radcliffe, Manchester, M26 3SB

Proposal: Erection of 8 no. dwellings

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

Ward: Radcliffe - East

Item 01

Applicant: Mr John Rollason

Location: Land at rear of 2-12 Bealey Avenue, Radcliffe, Manchester

Proposal: Erection of 1 no. dwelling

Application Ref: 63523/Full

Target Date: 25/01/2019

Recommendation: Approve with Conditions

Description

The application site relates to a backland plot which is located in a primarily residential area with elements of commercial/industrial uses nearby. The site is bounded on two sides by houses - to the east are terrace properties, Nos 3-9 Birch Street, to the west are Nos 2-12 Bealey Avenue which are semi detached. To the south, separated by a back street are terraces fronting Dumers Lane. To the north is a commercial unit which fronts York Street and where other industrial/commercial uses are located.

The site is an irregular and somewhat oddly shaped plot of land, vacant of buildings and overgrown with vegetation. It is contained and bounded on all sides by fencing and currently inaccessible to vehicles. It is also located in Flood Zones 2 and 3. These constraints present a challenging site in terms of development opportunities.

The proposal is for the erection of 1 No. 3 bedroomed dwelling. To best utilise the land available and in consideration of the site's constraints, it is proposed to position the dwelling fairly centrally within the site, angled such that the front elevation would be orientated southwards to face the back street from where access is proposed. This would require the removal of the existing fence which forms the front perimeter so that vehicles could enter the site from the back street into a driveway and parking for 2 cars. An area to the side of the drive would be provided for vehicles to manoeuvre to facilitate exit in a forward gear. A 1m high fence would be erected across part of the frontage.

The dwelling would be a dormer bungalow type, with living accommodation and a bedroom at ground floor and 2 further bedrooms in the roofspace. A small pitched roof dormer is proposed on the front and a larger flat roof dormer in the rear roof plane. The dwelling would be brick built with 2 pitched gable ends and be relatively modest in terms of its design, fenestration and window openings.

A garden area would be provided at the rear of the property and a 1.8m high fence proposed to the north, east and western boundaries.

The total built development would be approximately 80.2 sqm within a plot area of 280sqm. The footprint of the dwelling would measure 9m wide and 7.8m deep, with a single storey rear projection of 2.5m and a height of 5.67m.

The dwelling would be raised by 0.685m above ground level on the advice of the Environment Agency due to its location within a high risk flood area.

Relevant Planning History

None relevant

Publicity

Letters sent on 30/11/2018 to 23 properties on Dumers Lane, York Street, Birch Street and Bealey Avenue.

Two letters of objection received from No 315 Dumers Lane and 9 Birch Street with the

following issues:

- The rear of my property faces the site and am concerned about the impact the new build would have on my privacy as the front would have large windows overlooking my dining room, kitchen, bathroom and back garden;
- Access may also cause issues given the limited space of the alley way;
- The build would impact on my lifestyle and also the value of my property;
- The construction would endanger my pets and restrict their current access to the area causing harm to their well being;
- Too high and overlook my property and effect light;
- Concerned about car access

Amended letter sent 7/2/2019 to inform the neighbours of revised plans for amendments to the proposed external alterations of the proposed dwelling, details of boundary treatments and access arrangements.

No further responses received.

Amended letter sent 4/6/2019 to inform the neighbours of revised plans to raise the ground level by 0.685m, reduce the footprint of the proposed dwelling and increase the gap to the western boundary from 1m to 1.79m.

One letter of objection received from 8 Bealey Avenue with the following comments:

- I am concerned that the property will impact on our privacy, large windows, raised from ground level - they will be able to see into our rear garden, bedroom, bathroom and child's play area.
- The supported documents are not viewable so I am unable to see if the property will be attached to our boundary wall or if there will be a gap.
- If there is a gap this will cause more concerns about water and rubbish build up as on other properties in the area.
- Where will the access point be into the new dwelling? The traffic and area are confined already.

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

Statutory/Non-Statutory Consultations

Traffic Section - Not supportive of the proposed development but recommend conditions should permission be granted.

Borough Engineer - Drainage Section - No response received.

Environmental Health - Contaminated Land - No objection subject to conditions

Waste Management - No response received.

Environment Agency - No objection subject to a condition to set the floor levels and advisory notes to applicant re flood risk.

United Utilities (Water and waste) - No objection subject to conditions

The Coal Authority - No objection subject to condition.

Environmental Health - Pollution Control - Seek clarification of noise assessment.

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
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
EN5/1	New Development and Flood Risk
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict

SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
H1/2	Further Housing Development

Issues and Analysis

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

Principle - 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.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

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

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

UDP Policy H2/6 - Garden and Backland Development would not support proposals which would result in the loss of private gardens and backland for infill development unless such proposals do not adversely affect the character and amenity of the area. Regard is given to factors including:

- the concentration of such development in the surrounding area;
- the relative density of the proposal to that of the surrounding area;
- the impact on neighbouring properties and the local environment;
- access arrangements.

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

The site is located within an urban and sustainable area, adjacent to established residential properties and would therefore not conflict with the local environment in terms of character

and the surrounding land uses. There is existing infrastructure in place to facilitate the proposed development.

As such, the principle of the proposed development is considered acceptable and would comply with the principles of the NPPF and UDP Policy H1/2.

Layout - The plot is an irregular and somewhat awkward shape. It is bounded by houses to the east and west, a commercial unit to the north and a back street to the south. The layout and footprint of the proposed development has been driven by these constraints, resulting in the scheme for a single dormer bungalow.

The dwelling would be orientated with a south facing frontage set back into the site from the back street by approximately 12m. The side elevation would be 1.79m from the western boundary with the gardens of Nos 6 and 8 Bealey Avenue and project rearwards into site by approximately 10.3m. A garden area would be provided at the rear and wrap around the side elevation, and given the angular shape of the site, would leave a gap of between 2.6m at the narrowest and 6.4m at the widest points to the boundary with the houses on Birch Street. Bin storage would be provided within this outdoor space.

It is proposed to access the site via the back street to the south of the site which runs between Bealey Avenue and Dumers Lane. This would require the removal of the existing boundary fence to provide more acceptable levels of visibility when cars access/egress the site. Cars would enter the site and into a driveway for parking in front of the dwelling. An area of land at the side of the entrance for a car to manoeuvre would facilitate exit from the site in a forward gear.

Boundary treatment comprising 1.8m high timber boarded fencing would be erected around the perimeter of the site to the boundaries with neighbouring properties and there are proposals to landscape the development, details of which would be secured by a condition.

Considering the site has a number of challenging factors, it is considered that the siting and layout of the proposed development would best utilise the available space of this backland plot to provide acceptable standards of living accommodation and associated access and garden area and as such would comply with UDP Policies H2/1, H2/2 and H2/6.

Impact on the surrounding area - The scheme has been amended since the original submission in response to the EA's recommendations to address the flood risk issue and the application was subsequently revised to raise the finished floor levels (FFL) by 685mm

The houses which back onto the site would be those to the east on Birch Street, to the west on Bealey Avenue and to the south on Dumers Lane.

Supplementary Planning Document 6 (SPD6) is used as a guide to assess relationships and aspect standards between properties and new built development to ensure that suitable separation distances are maintained and to ensure as far as possible that a new development would not cause undue harm to adjacent occupiers. A separation of 20m between habitable room windows, 13m between a ground floor habitable room window and 2 storey blank wall and 6.5m between a ground floor window and blank wall is generally accepted, with an additional 3m added for each additional storey or where there is a difference in levels.

Birch Street

The properties on Birch Street are 2 storey terraces and due to the FFL of the proposed dwelling, the upper floor and roof of the dwelling would align with the 1st floor of these houses. However, the ridge height of the proposed dwelling would be lower than the terraced houses, and would run level with the height of their eaves.

Due to the orientation of the proposed dwelling, there would be no direct interface between the elevations of the proposed dwelling and the rear elevations of the houses on Birch

Street. However, these houses would have a view of the new build, particularly from their first floor. Nos 7 and 9 Birch Street would most likely be affected comparative to the rest of the row, being opposite and sharing a boundary with the site. Impact of the proposed development on each of these properties will be considered in turn.

No 7 Birch Street

From the mid point of the elevation of the proposed dwelling, (which would be the highest part due to the pitch of the roof), to the rear elevation of No 7, there would be an approximate distance of 9.3m. SPD6 generally requires a separation of 13m between a ground floor habitable room (No 7) and 2 storey blank gable (proposed dwelling).

However, the proposed dwelling, as a dormer bungalow, would not be a true 2 storey build and the total height of the proposed dwelling would only be as high as the eaves of the terraced houses and it is therefore considered reasonable in this case to accept a lesser separation.

In turning to SPD6 guidance, and the advice relating to separation standards for additional storeys or differences in levels, SPD6 advises that 3m per storey would be expected.

Considering the upper floor of the proposed dwelling would be roofspace accommodation and not a full storey, it is considered reasonable to apply this guidance and as such 9.5m separation would be required.

At approximately 9.3m, the gap would still be sub-standard. However, it would only be 0.2m below that advised which would be relatively insignificant and not noticeable. The proposed dwelling would have a considerably oblique relationship to the houses on Birch Street and the intervening 1.8m high boundary fence would provide some screening of the build. With a pitched gable roof design, massing and bulk form would be reduced comparative to that of a gable end house and therefore impact on neighbours would be less.

It is therefore considered that the separation between the proposed dwelling and No 7 would be acceptable and comply with policy guidance.

No 9 Birch Street

This property would have a view of the front and corner of the proposed dwelling, and the resident has raised the concern that they would be overlooked by the windows on the frontage. There would be a habitable room window on the front elevation of the proposed dwelling located at the ground floor. With the dwelling set at an angle to No 9 and not directly facing this property, and the intervening 1.8m high boundary fence, it is considered that overlooking would be minimal from this window. There would be a dormer on the front elevation but it would be located on the left side of the roof plane, and with a small window opening of 1.2m, overlooking and views of No 9 would be virtually impossible.

As such, and in consideration of the above circumstances, the relationship between the proposed dwelling and Nos 7 and 9 Birch Street would be acceptable and there would not be a significantly adverse impact on the amenity of the occupiers of these properties.

Bealey Avenue

There would be no habitable room windows on the side elevation of the proposed dwelling and with a separation distance of 14.5m to the rear of these houses, aspect standards would be satisfied.

Dumers Lane

The rear of these houses face the site and are separated the back street. There would be in excess of 20m between the proposed dwelling and the rear of these houses which would satisfy aspect standards.

York Street

The building to the north is in a commercial use. Given the oblique angle of the proposed dwelling to this site, there would be no directly facing elevations or windows. The dwelling would be separated from this site by the rear garden and intervening boundary treatment and as such it is considered amenity of the future occupiers would not be compromised.

Conclusion

It is therefore considered that due to the design and house type, its orientation and position comparatively to the surrounding properties, the sympathetic positioning of habitable room windows and the intervening boundary treatment, the proposed dwelling would be acceptable and not have a significant or adverse impact on the amenity of the surrounding occupiers and would comply with UDP Policies H2/1, H2/2 and H2/6.

However, as a 'backland' development and to protect the amenity of adjacent occupiers, it is considered appropriate and reasonable to remove permitted development rights and this would be prescribed by a condition.

Design and appearance - The development proposes a dormer bungalow type with a pitched roof incorporating a front and rear dormer. The front dormer would have a pitched roof, measure 3.5m x 4m and set 2.5m above the eaves would be relatively small in scale comparative to the roof plane and as such considered not to be a discordant feature. The rear dormer would be larger with a flat roof and cover approx two thirds of the length of the roof. It would have a set back of 2.4m from the eaves and be 900mm lower than the main roof. As it would be located at the rear, it would hardly be visible from any public areas or views and as such it is considered an acceptable.

The fenestration pattern and elevations of the bungalow would be relatively simple and understated, with ground floor windows aligned symmetrically with the upper floor and modest in opening size.

The footprint of the dwelling would be 'L' shaped with part of the ground floor projecting 3.5m towards the north boundary to best utilise the shape of the site and to facilitate the layout of the internal accommodation. Living accommodation would be located at the ground floor, where it is also intended to provide 1 bedroom. With 2 bedrooms and a WC proposed on the upper floor, the dwelling could easily be adapted to accommodate a person with a physical disability and family members/carer's without too many modifications. The applicant has expressed an interest in being able to provide for such accommodation, as properties of this type are often difficult to find. The applicant would like to have this option of a ground floor bedroom for the future but which could always be converted to another living space if not needed.

The dwelling would be brick built with tiled roof and UPVC window frames which would generally be in keeping with the area.

Whilst the surrounding properties are characteristically 2 storey terraced or semi detached type properties, as a backland development and surrounded by established built form, the proposed dwelling would not be viewed within the same streetscene context as these houses and would not form part of any row. The size of plot could only accommodate a single dwelling and given the relationship and proximity of the adjacent houses, a dormer bungalow is considered the best solution to minimise impact on these dwellings and surrounding area.

As such, it is considered that as an individual property, the proposed development would be acceptable in this location and appropriate within the setting of the surrounding area and would comply with UDP Policies H2/1, H2/2 and H2/6.

Highways Issues - The site could be described as 'typically backland', located in the middle of built development. Access is difficult and the site only realistically accessible via the back street which runs between the site and the rear of terraced houses on Dumers Lane. This is fairly narrow but is wide enough for a car and smaller refuse collection vehicle, as

the back street is used by residents on Dumers Lane on bin collection days. There is no existing pedestrian footway.

It is proposed to remove the existing fencing to the frontage of the site and provide the vehicular access into the site from this back street. A boundary fence is proposed across part of the frontage but an opening would be left wide enough for a car to access. The proposed layout plans show that 2 cars could comfortably park within the site with space to also manoeuvre to enable exit in a forward gear. The boundary fence would be 1m high to facilitate acceptable levels of visibility on egress.

The Highway's Section have been consulted and have raised concerns about the proposals.

From their perspective, the access arrangements would be sub-standard as they would utilise a back street. There is no existing footway for pedestrians to use and visibility would be poor from the proposed driveway position due to direct access onto the back street.

Whilst access would not be as straightforward or 'typical' as most other residential developments, it would be achievable. The back street is wide enough for a vehicle to traverse along with adequate space down the side for pedestrians. As only part of the front boundary fence would be replaced, there would be a sufficient opening for a car to enter and exit. The scale of the proposed development, for a single dwelling of 2/3 beds, would also not generate significant traffic movement. What can also be said is that by the very virtue of the site's location and the constraints it presents, cars would have no option but to drive carefully and very slowly to negotiate access to and from the site.

There is no footpath and no scope to provide a separate pedestrian footway. Cars can already drive down this back street, it is used by refuse vehicles and could be used for deliveries etc to the rear of the houses on Dumers Lane. It is therefore considered that one dwelling would not generate significantly more traffic than currently could occur and that the safety of pedestrians and those using the back street would not be at risk anymore than already exists. Pedestrians to and from the proposed development would be equally aware of the access facilities and arrangements.

Whilst the LPA's Highway Officer is not supportive of the proposals, conditions have been recommended should permission be granted. On balance, it is considered that for a single dwelling in this location and given the already existing constraints and limits which would dictate cautious and careful driving behaviour, it is considered that there would not be such a detrimental impact on highway safety or the amenity of the surrounding residents. Future occupiers of the development would be aware of the situation regarding the access and parking.

It is therefore considered that the proposals would be acceptable and would comply with UDP Policies H2/2, HT2/4 and HT6/2.

Flood risk - The site is located within a defined area designated Flood Risk Zones 2 and 3. The Environment Agency (EA) have been consulted on the application proposals and initially objected to the development on the inadequacies of the submitted Flood Risk Assessment (FRA) and the proposal to set the Finished Floor Levels (FFL) at 68.43mAOD.

The FRA has been subsequently revised (by email dated 2 May 2019) proposing an additional 85mm to set the FFL to 68.515mAOD.

The EA have accepted the revised FFL and subsequently withdrew their objection, advising that the proposed development be carried out in strict accordance with the FRA which would be included as a condition. The EA also advised that the mitigation measures recommended in the FRA to include Flood Resilience and Resistance Measures, preparation of an emergency evacuation plan, including registration with Floodline, and identification of safe access and egress routes. This would be included as an informative note to the applicant.

The proposed development would be located within a plot land bounded by built development on all sides and as such would be in no worse a situation than these properties with regard to flood risk.

It is therefore considered that the proposed development, with the appropriate condition, would be acceptable and therefore comply with the principles of chapter 14 of the NPPF.

Coal Authority - The Coal Authority previously responded to this planning application requesting a Coal Mining Risk Assessment be submitted in a response letter to the LPA dated 11 December 2018.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Coal Mining Risk Assessment Report (REFA, 7 March 2019), which now accompanies this planning application.

The Coal Mining Risk Assessment correctly identifies that the application site has been subject to past coal mining related activities. Specifically, the report identifies a medium risk posed by shallow mine workings to the application site and proposed development; the risk is such that it may result in instability issues at the surface of the application site.

Therefore, the report recommends intrusive site investigations in order to determine the ground conditions and presence of coal mining activity beneath the application site. The report states that findings from intrusive site investigations may make necessary a scheme of stabilisation works.

The Coal Authority concurs with the conclusions and recommendations of the Coal Mining Risk Assessment Report (REFA, 7 March 2019). The exact form and extent of intrusive site investigations need to be agreed with the Permitting section of The Coal Authority as part of the applicant's permit application. These intrusive site investigations should be prepared and conducted by a suitably competent person and findings used to inform an appropriate scheme of remedial measures if necessary. In addition, it would be prudent if consideration was also given to the risk posed by mine gas to the application site and proposed development.

The Coal Authority therefore recommend that a condition be included requiring the site investigation works prior to the commencement of the development and that any remedial works identified by the site investigation are undertaken before the development commences.

Drainage - United Utilities have been consulted on the application proposals and have raised no objection to the principle of the development. Conditions have been recommended that the foul and surface water shall be drained on separate systems and surface water drained in accordance with the hierarchy of drainage options in the NPPG.

Response to objectors

- The issues raised by the objectors in relation to privacy, overlooking and access have been covered in the above report.
- Impact on property prices is not a material planning consideration.
- The gap referred to by No 8 Bealey Avenue would be between the side elevation of the proposed dwelling and the rear boundary fence to No 8. It would be 1.79m wide and within the curtilage and site area of the proposed dwelling and accessible for maintenance by the future occupier. There would be gutters and downpipes on the property which would direct water to appropriate drainage channels. Gaps between dwellings and boundary fences are not unusual in terms of layout and with appropriate drainage measures the development is considered acceptable.

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 Paragraph 38 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 -
PCE-Rollason-May-18-Planning drawing 3B
PCE-Rollason-May-18-fence detail drawing 3B-1
PCE-Rollason-May-18-Blockplan drawing 3B-2
PCE-Rollason-May-18-Topographical 3B-3
and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - 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 15 - Conserving and enhancing the natural environment.
5. If during the works on site, excess or waste soil material is removed from site,

details of where and how the soil material was disposed of, including copies of waste transfer documentation, shall be submitted to the Local Planning Authority for approval.

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 15 - Conserving and enhancing the natural environment.

6. No development shall commence unless and until -
- an appropriate scheme of intrusive site investigations has been carried out and;
 - a report of the findings arising from the intrusive site investigations has been submitted to the Local Planning Authority for approval.
 - where remediation works are required, a remediation strategy for a scheme of the remediation works shall be submitted for approval by the Local Planning Authority.
 - the approved scheme only shall thereafter be implemented.

Reason. Information not submitted at application stage. To that adequate information pertaining to ground conditions and coal mining legacy is available to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

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

- Hours of operation and number of vehicle movements;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials including any phasing of the development to accommodate this;
- Proposed site hoarding/gate positions;
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. 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 not 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 and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

8. Notwithstanding the details indicated on the approved plans, the proposed fence abutting the adopted highway shall not exceed 0.9m in height and shall incorporate foundations that do not encroach under the adjacent adopted highway.
- Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety and to maintain the integrity of the adopted highway pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and H6/2 - Pedestrian/Vehicular Conflict.
9. Any remedial works required on the adopted highway as a result of the removal of

the existing fence/erection of the new fence shall be implemented to the satisfaction of the Local Planning Authority prior to first occupation of the development hereby approved.

Reason. To 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 and HT6/2 - Pedestrian/Vehicular Conflict.

10. The turning facilities indicated on the approved plans 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.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development.
11. The car parking area indicated on the approved plans shall be surfaced and made available for use prior to the first occupation of the development hereby approved 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, H2/6 - Garden and Backland Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
12. 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.
13. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment and mitigation measures outlined in the FRA, by KRS Environmental KRS.0390.001.R.001.B and as subsequently amended by email dated 2 May 2019 to set the Finished Floor Level to 68.515mAOD. The mitigation measures shall be fully implemented prior to occupation of the development hereby approved.
Reason. To reduce the risk and impact of flooding to the proposed development and users of the development and to reduce the potential impact on flood risk elsewhere pursuant to chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
14. Prior to the commencement of the development hereby approved, a scheme for landscaping and boundary treatment shall be submitted to and approved by the Local Planning Authority. The approved details shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season, 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 Policies H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development, EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
15. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which

shall be agreed with the statutory undertaker prior to connection to the public sewer.

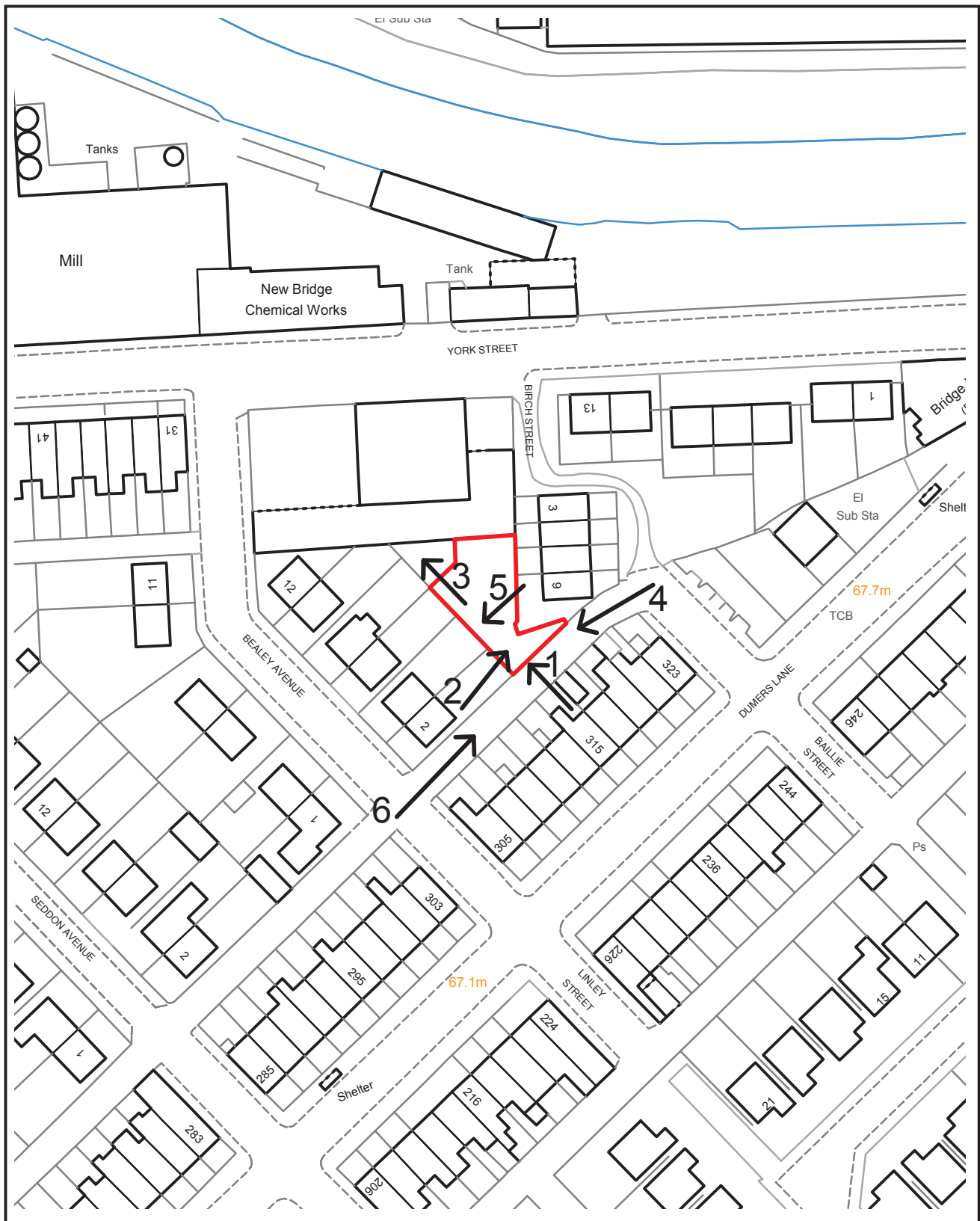
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

16. The hardstanding/driveway hereby approved shall be of a permeable (or porous) surfacing which allows water to drain through such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally and thereafter maintained as such.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , and Chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF and the hierarchy of drainage options in national planning practice guidance.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63523

ADDRESS: Land at rear of 2-12 Bealey Avenue
Radcliffe

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

63523

Photo 1



Photo 2



63523

Photo 3



Photo 4



63523

Photo 5



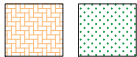
Photo 6





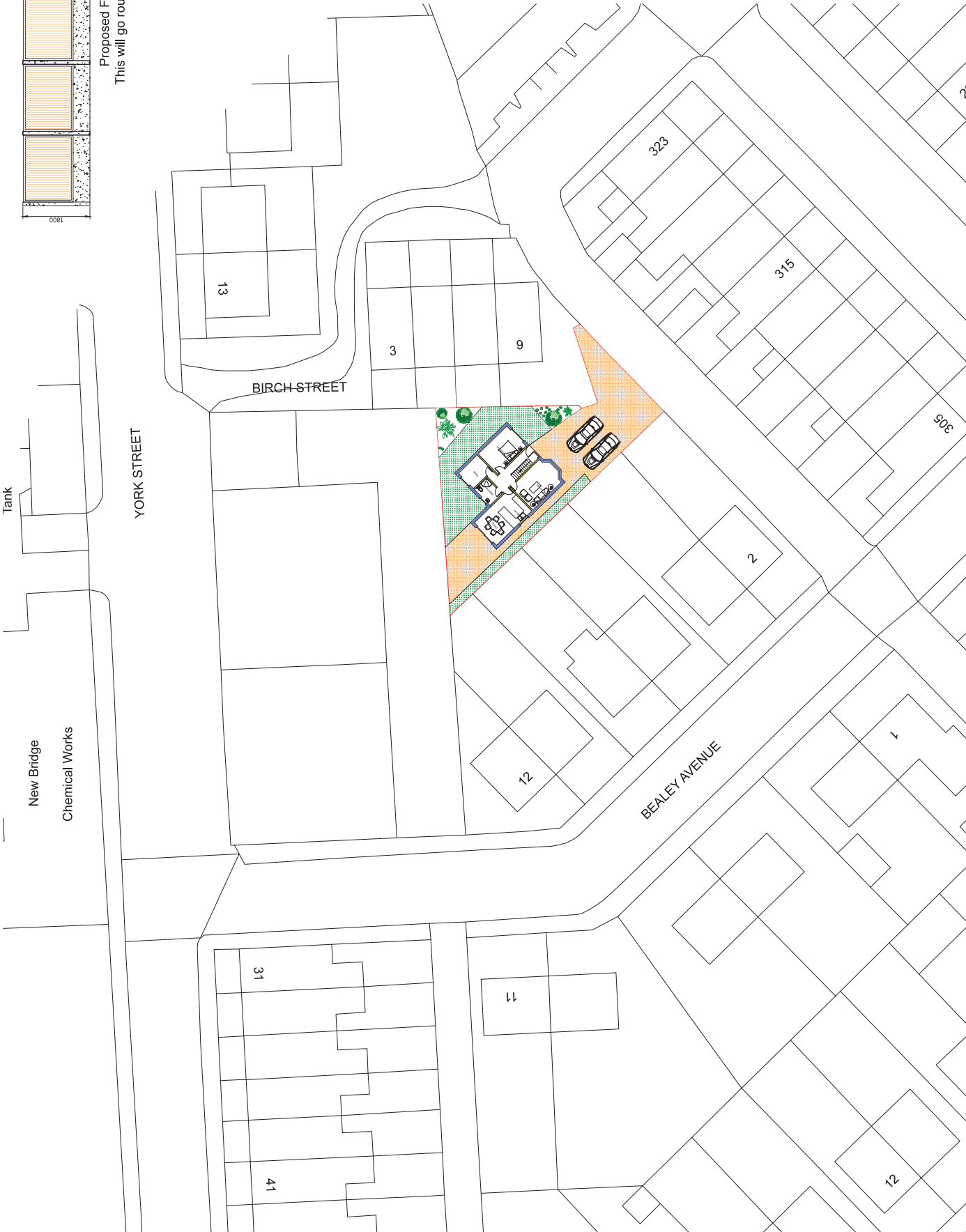
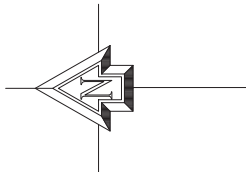
Proposed Fence Detail.
This will go round the entire site

KEY:



Block Paving

Grass



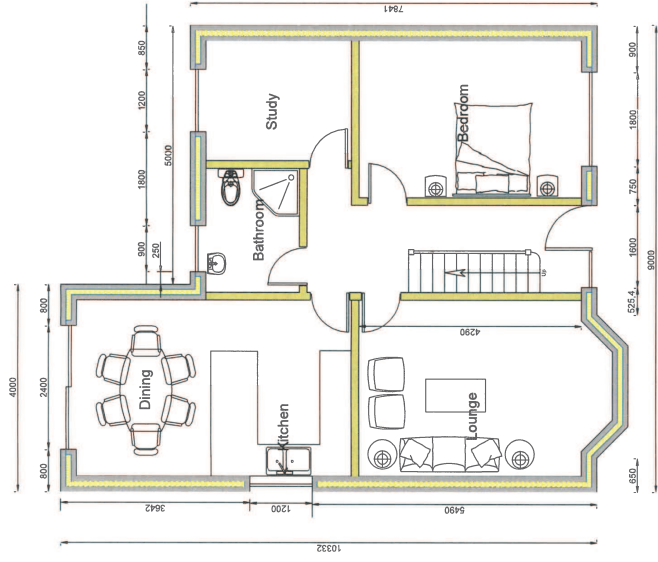
Proposed new dwelling at:

Land Behind
Bealey Avenue
Radcliffe
Manchester
M26 2QW

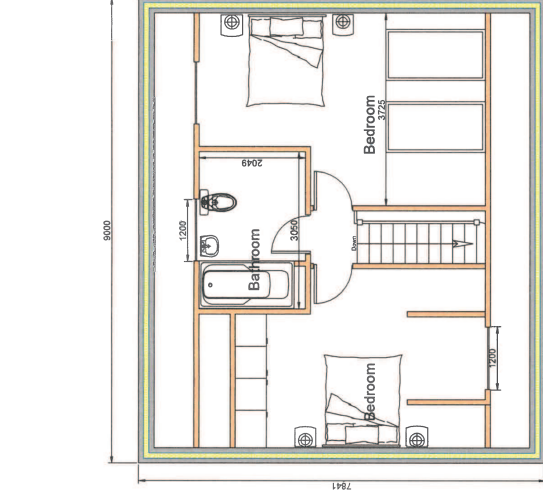
CLIENT:	Mr. John Rollason
CONTRACT No:	PCE-Rollason-May-18
DATE:	14th May 2018
SCALE:	1:200, 1:50 @ A1
DWG No:	PCE-Rollason-May-18-BLOCKPLAN
L.A.:	Bury Metropolitan Borough Council
AMENDMENTS:	
DATE:	

PCE DESIGNS Ltd
40 Queensway
Euxton
Chorley
Lancashire
PR7 6PW
Tel: 01257233850
Mobile: 07515878823
Email: pcedesigns@aol.com

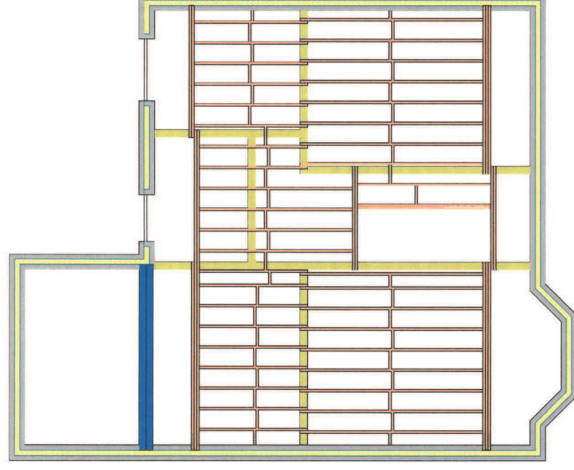
DRAWING 3B-2



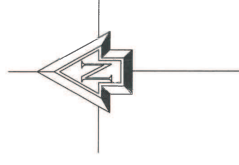
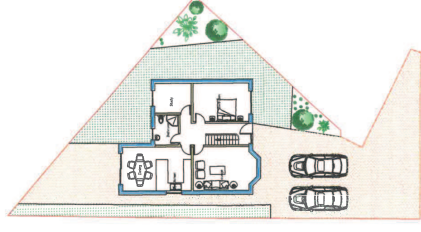
9000 Proposed Ground Floor Layout



Proposed First Floor Layout



Proposed Joist & Beam Layout



Proposed new dwelling at :

Land Behind
Bealey Avenue
Radcliffe
Manchester
M26 2QW

CLIENT:	Mr John Rollason
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CONTRACT No:	PCE-Rollason-May-18
--------------	---------------------

DATE:	14th May 2018
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SCALE:	1:50, 1:100, 1:200, 1:1250 @ A1
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DWG No:	PCE-Rollason-May-18-Planning
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L.A:	Bury Metropolitan Borough Council
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AMENDMENTS:	DATE:
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PCE DESIGNS Ltd

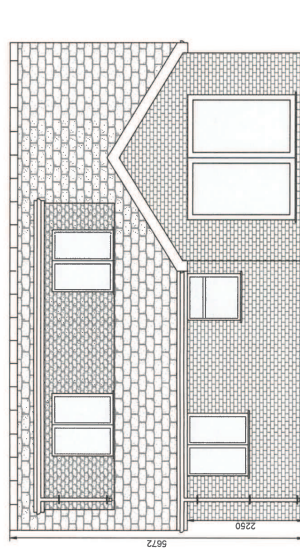
40 Queensway
Tel: 01257233850

Euxton
Mobile:07515878823

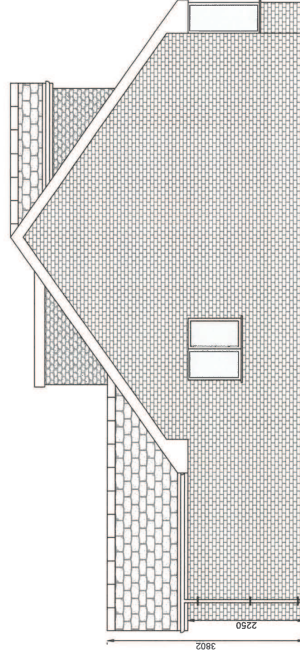
Chorley
Email pcedesigns@aol.com

Lancashire

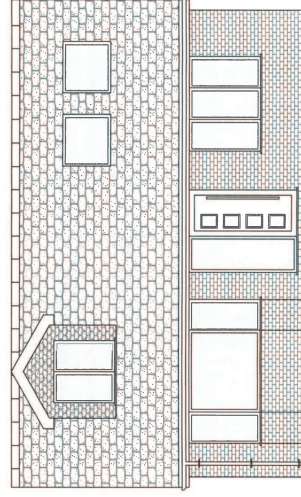
DRAWING 3B



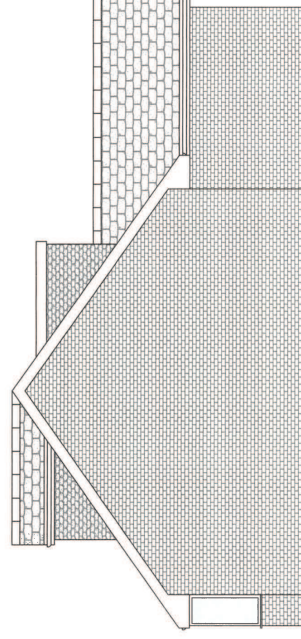
Proposed Rear Elevation



Proposed Side Elevation



Proposed Front Elevation

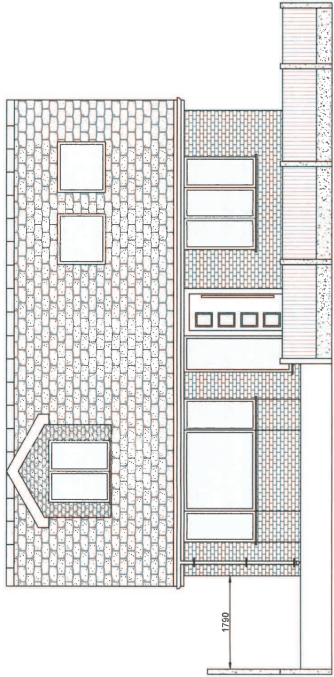


Proposed Side Elevation

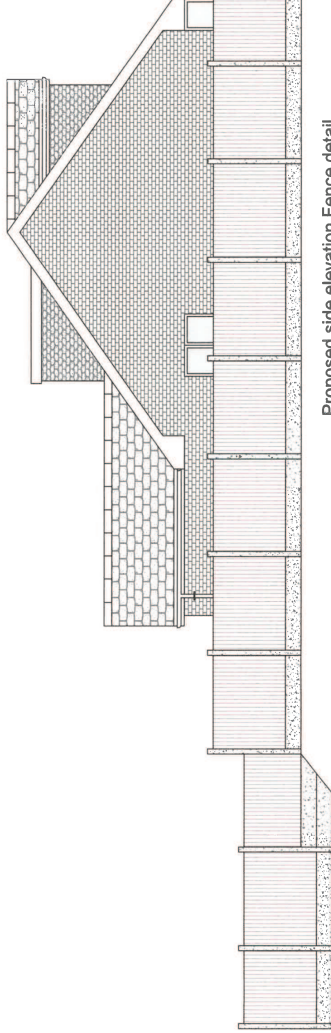


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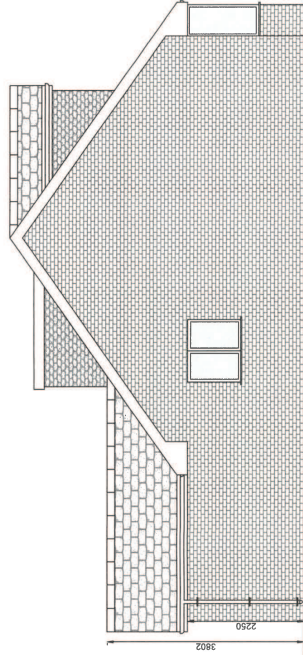




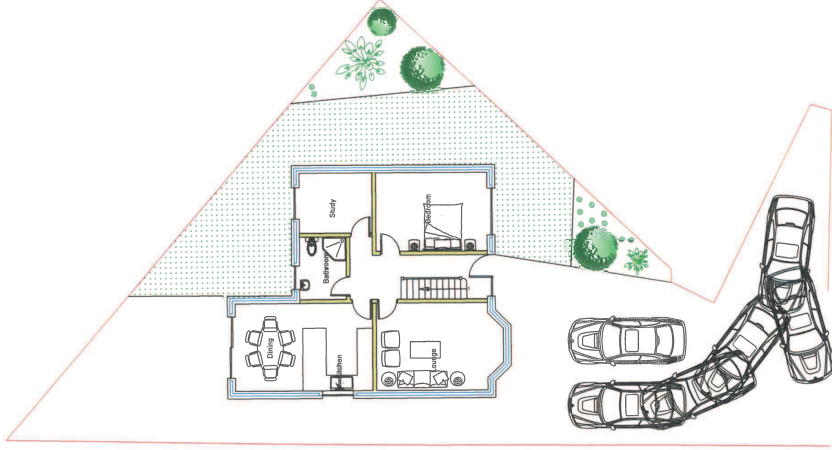
Proposed front elevation Fence detail 1m high fence to front to ensure visibility for vehicles leaving the side



Proposed side elevation Fence detail



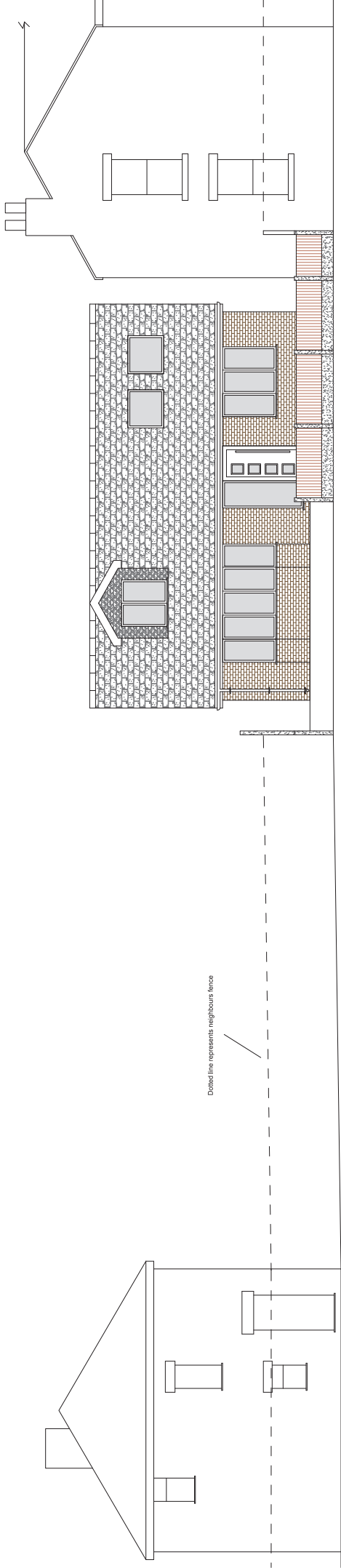
Dwelling to be lifted 685mm as requested by the environment agency
Existing ground level



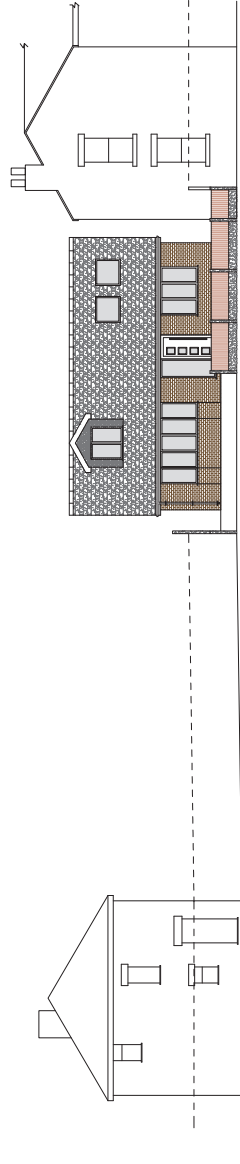
Site plan showing vehicles being able to leave the site in a forward gear

Proposed new dwelling at:
Land Behind
Bosley Avenue
Radcliffe
Manchester
M26 2QW

CLIENT:	Mr. John Rollason
CONTRACT No:	PCE-Rollason-May-18
DATE:	14th May 2018
SCALE:	1:100 1:50 @ A1
DWG No:	PCE-Rollason-May-18-fence detail
L.A.:	Bury Metropolitan Borough Council
AMENDMENTS:	DATE:
PCE DESIGNS Ltd 40 Queensway Tel: 01257233850 Euxton Mobile: 07515878823 Chorley Email: pcedesigns@aol.com Lancashire PR7 6PW	
DRAWING 3B-1	



STREET SCENE SCALE 1:50 @A1



STREET SCENE SCALE 1:100 @A1

Proposed new dwelling at: Land Behind Beasley Avenue Radcliffe Manchester M26 2QW		CLIENT:	Mr. John Rollison
		CONTRACT No:	PCE-Rollison-May-18
		DATE:	14th May 2018
		SCALE:	1:100, 1:50 @ A1
		DWG No:	PCE-Rollison-May-18-Street Scene
		L.A.:	Bury Metropolitan Borough Council
		AMENDMENTS:	DATE:
		PCE DESIGNS Ltd	
		40 Queensway Tel: 01257233850	
		Euxton Mobile:07515878823	
		Chorley Email pcedesigns@aol.com	
		Lancashire	
		PR7 6PW	
		DRAWING 3B-4	

Ward: North Manor

Item 02

Applicant: Kingsley Properties

Location: Land off Kay Street, Summerseat, Bury

Proposal: Erection of single building containing 16 no. dwellings and associated car parking;
Creation of an upgraded vehicular access from Kay Street

Application Ref: 63630/Full

Target Date: 08/04/2019

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for recreation provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan and SPD1 and for Affordable Housing in accordance with Policy H4/1 of the UDP and SPD5. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

The Development Manager has requested a site visit.

Description

The site was last in use as a car park to the former Waterside public house, which was demolished shortly after the boxing day floods. The site was used to store materials and has been cleared in the past 12 months. The site is located within the Green Belt and the Brooksbottoms Conservation Area. The site is accessed from the existing access from Kay Street.

The River Irwell forms the boundary to the north and there are residential properties to the south and west (opposite Kay Street). There is a commercial building and a block of residential apartments to the north on the opposite bank of the River. Both of these buildings are Grade II listed.

The proposed development involves the erection of a single building containing 16 apartments, which would be located on the former car park. The proposed building would be 4 storeys in height and would be constructed from stone with a zinc clad top floor. The site would be accessed from Kay Street and 28 car parking spaces would be provided.

Relevant Planning History

01940/E - Development of 32 no. residential units at Former Waterside, Kay Street, Summerseat. Enquiry completed - 23 October 2018.

Adjacent site

62867 - Widening works on the upstream side of Kay Street Bridge, Summerseat, to provide a segregated single carriageway and pedestrian footway (Bridge extension) at Kay Street Bridge, Summerseat. Approved with conditions - 31 July 2018

Publicity

98 neighbouring properties were notified by means of a letter on 8 January 2019 and a press notice was published in the Bury Times on 17 January 2019. Site notices were posted on 15 January 2019. The application has been advertised as a major development, a departure from the UDP, affecting the setting of Rowlands/Brooksbottom Conservation Area and Grade II listed building.

Councillors Hussain and Councillor Gunther has objected and has raised the following issues:

- Object in the strongest possible terms and object on the grounds of safety.
- The number of parking spaces is not sufficient as there is no adjacent space for people to park.
- This area of Summerseat already suffers from a lack of car parking facilities especially in and around Hill Street.
- The level of traffic in this area will change when the restoration of Kay Bridge is completed.

75 copies of a standard letter have been received and 143 letters have been received from the occupiers of 2, 4, 10, 15, 16, 24, 29, 36, 39, 43, 52, 59, 61 The Spinnings, 1, 3 Crag House, 1, 2, 5, 6, 7, 10, 12 Crag Lane, 1, 3, 6, 7, 8, 9, 10, 11, 13, 15, 17, 18, 19, 21, 22 Hill Street, 1, 3 Kay Street, 3, 5 Hargate Close, 4, 6, 9 Manley Close, 7, 43, 45, 49 Queens Place, 9, 12, 18, 21, 23, 29 Miller Street, 2, 4 Arlington Close, 114, 188, 198 Railway Street, 3, 5 Rowlands Road, 2 Thorn Street, 88 Newcombe Road, 2, 3, 16, 20, 24 Crosfield Avenue, 1 Riverside Drive, 6, 9, 14, 15 Ashbourne Drive, 17 Wood Road Lane, 35, 40, 51 Fernview Drive, 16 India Street, 28 Mostyn Avenue, 4 Tower Avenue, 1-3, 5, 13 Castle Street, 13, 15 Holly Street, 107, 119 Manchester Road, 52 Hazel Hall Lane, 11 Raglan Avenue, 2, 5, 8, 10 Hamer Terrace, 3, 5 East View, 4, 10, 12A Cliff Avenue, 5, 10, 16 Crag Avenue, 6, 21 Hill Street, 5 Ash Grove, Forest Cottage, 5 Garden Street, 1 North View, 14 Beech Street, 294 Bolton Road West, 32, 36, 38 Higher Summerseat, Hazel Hall Farm, Smithy Cottage, 2 Howe Drive, 1 Brierfield Drive, 3 Plantation View, Rosewood Cottage, 603 Walmersley Road, 100 Bass Lane, 9 Chestnut Drive, 239 Whittingham Drive.

The objectors have raised the following issues:

- The site is located in the Brooksbottoms Conservation Area, which is noted for a limited palette of building materials - local stone and stone or slate roofs.
- The proposed design does not protect or enhance the character and appearance of this conservation area. It is a modern block of flats with the maximum number of dwellings squeezed into the space available.
- There is a lack of details in the plans and falls short of what would be expected when building in a conservation area.
- The proposal would restrict light and privacy to properties on Hill Street and the Spinnings.
- The flats will be viewed from the road and will impose on the view of the Spinnings
- The flat roof and zinc penthouses have no precedent on housing in the village.
- There is no provision for lifts despite disabled parking spaces.
- There is no detail on the quality of materials for windows and downspouts.
- 17 of the 24 trees on the site are affected by the development.
- No geological survey has been provided to determine whether a building of this height and mass can be prevented from falling into the river.
- The flood risk assessment makes light of the risk of flooding.
- The cliffs at the back of Hill Street are prone to landslide and rockfall.
- 28 parking spaces for 15 apartments is insufficient. A minimum of 40 spaces should be provided.
- The traffic report uses the traffic to the waterside pub, which closed several years ago.
- The roads in Summerseat were not designed for the cut through traffic which uses them.
- Children walking to and from school will have to cross the site entrance where there is no footpath.
- During construction, contractors' vehicles will have to access the site from Hill Street and Kay Bridge - both of which are narrow and will cause congestion.
- Would the development be insurable given its location next to the river?
- A row of terraced properties would be a better option
- Loss of privacy.
- Concerned that bats and owls in the area would be affected.
- Approved the application would be like rewarding inaction on the part of the developer.
- The new development must fit with the urban grain and the character of the area. This

large scale four storey building would not fit.

- Loss of daylight to my property.
- Green Belt must be preserved, like virginity or good name - once lost it can never be replaced.
- The proposal would not preserve the open character of the river valley and is contrary to Policy OL5 of the UDP.
- Request that greater community engagement is undertaken with the local community to avoid change happening 'to' them.
- Question the need for this development as the GMSF will address the need within the borough.
- It is a very large building for a narrow piece of land.
- No one wants to leave the land in a derelict state, but this proposal should be turned down in favour of a smaller build that is more in keeping with the conservation area.
- This is nothing more than a money making scheme for the Council to recoup monies instead of going to the real perpetrator - the applicant.
- I am disappointed that the proposed development has not taken the opportunity to provide a modern landmark statement to enhance the village.
- 1 bedroom flats are NOT required in Summerseat.
- Access is via a single lane bridge and is not safe
- The proposed development would add pressure on local services
- The person submitting the application has caused the village serious problems. He should not be allowed to profit from this situation.
- The entry and exit points to the car park would be dangerous - next to Kay Bridge, where the road narrows and after a blind bend.
- The residents of Summerseat and Bury Council tax payers object and the application should be refused.

The objectors have been notified of revised plans on 9 May 2019.

23 letters have been received from the occupiers of 6, 9 Manley Close, 35, 40 Fernview Drive, 9 Chestnut Drive, 1 Riverside Drive, 28 Mostyn Avenue, 100 Bass Lane, 1 Crag House, 12 Miller Street, 6 Ashborne Drive, 7, 8, 17 Hill Street, 4, 43 The Spinnings, 3 Hargate Close, 16 Crosfield Avenue, 1 Kay Street, 8 Hamer Terrace, 3 East View, 21 Miller Street, which have raised the following issues:

- I object to the amendments as this type of property should not be allowed to be build in this conservation area.
- Limited parking - the lack of spaces will add to the problem of cars overflowing on to Kay Street/Hill Street.
- The proposed development will make the area more dangerous for vulnerable people/children.
- Bass Lane and Kay Bridge are not suitable for hgv and construction vehicles.
- Concern about how the building works will affect the houses on Hill Street especially if trees are to be removed.
- Revised plans do not change my original objection.
- The proposed development is not in keeping with the area and should not be more than 2 storeys in height.
- The proposed development is a dull apology of a building that, in failing to make its own modern statement, is not sympathetic to the Spinnings building.
- The proposed development would increase congestion in Summerseat.
- The plans do not benefit the village in any way.
- Schools and doctors are at full capacity and the proposal would put further strain on these services.
- There are a small number of changes but the design of the building remains the same.
- The reduction by 1 apartment and increased parking makes no difference to the unsuitability of this proposal.
- The drainage system is poor and Kay Street often floods.
- I would like this application to be heard by committee so appropriate representation from

residents of the village can be made.

- I am concerned that the number of parking spaces have been increased to 32. Trees will have to be cut down, which will leave the building and car park exposed.

All individual representations have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

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

Drainage Section - No response.

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

Environmental Health - Air Quality - No objections, subject to the inclusion of a condition relating to a scheme for electric charging vehicles.

Public Rights of Way Officer - No response.

Conservation Officer - No objections, subject to the top floor being set back, strengthening the vertical emphasis and modelling on the elevation and increasing the use of ashlar banding.

Waste Management - No response.

Environment Agency - No objections, subject to the inclusion of conditions relating to finished floor levels, Japanese Knotweed and Himalayan Balsam.

Design for security - No objections.

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

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to bats, external lighting, nesting birds, invasive species, a construction & environmental management plan and landscaping.

Pre-start Conditions - Awaiting confirmation from the agent that pre-commencement conditions are acceptable.

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
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/4	Street Furniture
EN2	Conservation and Listed Buildings
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/1	Sites of Nature Conservation Interest SSSI's NNR's
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
OL5/2	Development in River Valleys
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs

HT6/2	Pedestrian/Vehicular Conflict
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle (Green Belt) - NPPF Chapter 13 - Protecting Green Belt Land and OL policies of the UDP set out the national and local considerations of development within the Green Belt. UDP Policies are largely consistent with the NPPF and therefore hold significant weight. The policies of the NPPF hold substantial weight in terms of the consideration of development within the Green Belt, not least as these policies are more up to date than the UDP.

Para 143 considers that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 145 states that the construction of new buildings in the Green Belt should be regarded as inappropriate unless it meets the following exceptions:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c. 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;
- d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e. limited infilling in villages;
- f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable.

Para 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- h. mineral extraction;
- i. engineering operations
- j. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- k. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- l. material changes to the use of land (such as changes of use for outdoor sport or

- recreation, or for cemeteries and burial grounds); and
- m. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Paragraph 144 of the NPPF states that when considering an application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

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

Policy OL1/3 states that in all named villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings.

The application site is located within Summerseat village, which is named village for the purposes of Policy OL1/3 and the site is a vacant brownfield plot with built development to three boundaries (north, south and west) and the land to the east rises steeply, creating a physical barrier. As such, the proposed development would be considered to be an infill plot in accordance with Policy OL1/3 and bullet point e) of paragraph 145 of the NPPF.

Limited Infilling - The term 'limited infilling' is not specifically defined within the NPPF but would generally refer to gaps of land that may be capable of development without prejudicing Green Belt objectives. It may include forms of development other than frontage infilling, as long as the development would be in keeping with the village's character maintaining openness.

The agent has cited examples in the north west region, where applications for 23 dwellings has been found to qualify as 'limited infilling' in the Green Belt. This entails assessing each proposal on its merits and in relation to its surroundings.

Principle - Residential - 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.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

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 named village and there are residential properties on both sides of the river. As such, the proposed development would not conflict with the surrounding land uses. The site was previously used as a car park and public house and as such, is a brownfield site. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF and brownfield site in the Green Belt.

Layout and impact upon surrounding area - The siting, scale and design of the proposed building has been carefully considered in relation to the physical constraints of the site, the wider Conservation Area and pre-existing built form.

The footprint of the building would be 410 square metres, which would be significantly less than a typical housing development (on the site). The proposed building would be located some 22 metres from the site frontage to ensure that the wider views of the Spinnings building would not be obscured. The proposed site plan indicates that the proposed building would sit comfortably within the plot with a sizeable landscaped curtilage to the east and the landscaped car park to the west equally visible from wider public views.

The proposed building would be four storeys and 11 metres in height. As such, the proposed building would 8.5 metres lower than the Spinnings building and would be only 3 metres higher than a standard 2 storey dwelling. As such, the proposed development is considered to be low density in built form terms and would not introduce an imposing building into the area.

The proposed development would be set back, would be relatively low profile and would maintain existing and create public views of the adjacent Listed Building and landscape. As such, the proposed building has been designed to minimise the impact upon the landscape and setting.

Given the location of the site within the context of the streetscape and the village, the size of the plot, the scale of the proposed development, it is considered that the proposed development would constitute limited infill development in line with the principles of bullet point e) of paragraph 145 of the NPPF and UDP Policy OL1/3.

Design and layout - The proposed building would be four storeys in height with the top floor being smaller in terms of footprint and set back from all sides as a penthouse. The proposed building would be constructed from stone with the top floor being zinc cladding. The use of stone would match the surrounding buildings and local context whilst the use of zinc would represent a clear modern addition. This is considered to be appropriate.

The proposed openings would be located at regular intervals and the rhythm of the openings would have a similar appearance to a mill, which given the industrial heritage is appropriate. The use of materials, juliet balconies, cills, recessed areas and the recessed top floor would add visual and a modern interest to the elevations. Therefore, the proposed development would not be a prominent feature in the streetscene.

An area of amenity space would be provided to the rear of the site, which would provide a suitable level of private amenity space for users of the development. A bin store would be located adjacent to the car park and would be large enough to accommodate the refuse. The riverside wall would be rebuilt and a stone wall would be constructed along the frontage, which would match in to the bridge parapet. As such, the proposed boundary treatments would not be an inappropriate or prominent feature in the streetscene and would be sympathetic with the existing features.

Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Heritage issues - Sections 66 and 72 of the Town & Country Planning (Listed Buildings & Conservation Areas Act) 1990 imposes a statutory duty upon the Local Planning Authority

(LPA) to recognise, positively manage and ensure the preservation or enhancement of Listed Buildings and Conservation Areas.

The NPPF sets out the Government's planning policies and one of the core planning principles states that planning should 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'

Paragraph 192 of the NPPF states that when determining applications, local planning authorities 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; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application site is located in the Brooksbottoms Conservation Area and the two buildings (The Spinnings and the Gatehouse) on the opposite side of the River Irwell are Grade II listed and physically separate from the site. As such, the impact upon the Listed Building and Conservation Area would carry significant weight.

In order to assess whether the proposed development would make a positive contribution to the character of the conservation area and the listed building, the character of the site and relationship to the conservation area must be determined.

The application site was last used as the car park for the former Waterside building, which was demolished in December 2015 following significant structural failure. Since the Waterside was demolished the site has remained vacant and is surfaced in poor quality tarmac which stems from its previous use as a car park. There is a stone abutment wall adjacent to the river, where the Waterside sat above, which is in a poor condition and is a remnant of a collapsed structure. As such, the site makes a negative contribution to the character and appearance of the conservation area.

Existing character - Brooksbottoms Conservation Area lies on the River Irwell by the mouth of Gollinrod Gorge and has two distinct character areas - a mixture of late 18th, 19th and 20th century stone & brick houses and education and ecclesiastical buildings on a thoroughfare (known as Rowlands) and a development of the cotton industry from the late 18th and early 19th century and consists of larger industrial buildings, rows of small terraces and structures associated with the railway (Brooksbottom). The application site forms part of the Brooksbottoms area, which reflects the harsher character of the Industrial Revolution and is dominated by the four storey Brooksbottom Mill (now The Spinnings). The mill is surrounded by small terraces of workers housing and the railway viaduct. There is a visual harmony from the use of a limited palette of natural building materials, largely locally derived stone with stone or slate roofs.

Brooksbottoms Mill forms an important part of the conservation area and consisted of The Spinnings, which is located on the northern bank of the River Irwell along with the office (now known as the Gatehouse) and two storey canteen block (the Former Waterside public

house). All three buildings were Grade II listed buildings, although the Waterside building was demolished in December 2015 following the flooding.

The Spinnings Building is a substantial four storey high Listed Building and consists of 19 bays across the front elevation, topped with a parapet which hides a shallow double-pile and hipped roofs. The key attributes of the Mill are its architectural interest, particularly the south and west elevations, historic interest and group value with the Hoyles Manchester Building. The mill building was converted to residential apartments and the associated weaving sheds, spinning section and chimney were demolished at this time. Following the demolition of the Waterside pub, new views have opened up along Kay Street of the Spinnings building. The Mill is bordered on the south side by the River Irwell which has thick tree growth along both banks to the east in the Gollinrod Gorge.

Impact of proposed development upon significance

CONSERVATION AREA - The apartment building has been set as far east on the site as possible to ensure that the newly-opened up views of The Spinnings from Kay Street are kept open. The parking has been set along the southern boundary and on the west side, will be bordered with a stone wall by the road and will be landscaped with new planting. There would be a stone-paved riverside walkway along the north side to allow views along the river. Trees to the south-west and south-east would be retained and would provide screening from Hill Street. The river wall, damaged when the pub collapsed and during the subsequent demolition work, would be rebuilt and a natural stone setted and flagged pavement added to the repaired bridge.

The apartment building would be four storeys in height and around ten bays in width, although the arrangement of windows is different across the long north and south elevations. Its overall height and massing will be less than that of the historic Mill. It has been designed in a simple contemporary style and will be built in coursed stone with ashlar features, to reflect local building materials, with a dark-grey matt zinc for the upper floor and roof. The rhythm of the fenestration reflects the regular groups of windows of the south elevation of the facing mill building. The entrances are on the south side, which will make the side active, and the north side windows keep this side open.

LISTED BUILDING - Again, the proposed building would be located on the opposite side of the river and as far east as possible to avoid impacting upon the view and setting north eastwards from Kay Street towards the listed buildings. The proposed building is 4 storeys in height, although the top floor is smaller in footprint and set back appearing visually subservient. The listed buildings were historically set within a complex of large industrial buildings on the north side of the river. The proposed development would be lower than the listed building with a smaller footprint and the top floor would be constructed in a dark coloured material to help it recede from the longer views. The proposed building has been designed in a simple palette of materials, which are sympathetic and not challenging to the listed buildings and the surrounding area.

Conclusion - The current condition of the application site impacts negatively on the character and appearance of both the Conservation Area and the listed buildings. The revised plans received have addressed the Conservation Officer's concerns. The proposed development would preserve the recently created public views of the listed buildings and would bring the vacant land back into beneficial use. The proposed development would preserve and enhance the character of the Conservation Area and would be appropriate in terms of scale, materials and design. The proposed development would preserve the setting of the listed buildings. Therefore, the proposed development would be in accordance with Policies EN1/2, EN2, EN2/1, EN2/2 and EN2/3 of the Bury Unitary Development Plan and the NPPF.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case.

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. If there is an additional storey in height or difference in levels of 2.5 metres, a further 3 metres should be added to the aspect standard.

There would be a minimum of 27.4 metres between the proposed development and the dwellings on Hill Street and 34.2 metres between the proposed development and the dwellings on Kay Street. Both of these distances would be in excess of the 26 metre aspect standard.

There would be 29.8 metres between the proposed development and the gatehouse building and 40.1 metres between the proposed building and The Spinnings. Both of these distances would be in excess of the 26 metre aspect standard.

The proposed development is considered to follow the villages historic form in the context of layout. Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

Trees - The proposed site plan indicates that 10 trees and 1 group of trees would be removed as part of the proposed development. All of the trees to be removed are category C or U and as such, are of low quality. Trees would be retained in the south west corner of the site near the entrance and in the south east corner of the site. In addition, further trees would be planted as part of a landscaping scheme, which would be conditioned. As such, the proposed development would not be detrimental to the character of the area and would be in accordance with Policies EN8 and EN8/2 of the Bury Unitary Development Plan.

Ecology - An ecological appraisal was submitted as part of the application. Two of the trees on site have potential for use by bats. However, the proposed site plan indicates that these trees would be retained and as such, a condition would be included to ensure this.

The River Irwell is an important corridor for bats and otters, which may be impacted by insensitive lighting and from works during construction. No site lighting is indicated on the proposed plans and this would need to be dealt with via a condition as well as the submission of an environmental management plan.

GM Ecology Unit agrees with the recommendations in the ecological assessment and has no objections, subject to the inclusion of conditions relating to the retention of trees, invasive species, nesting birds, a lighting plan for the external lighting and an environmental management plan to protect the river during construction from debris.

Therefore, the proposed development would not cause harm to protected species and would be in accordance with Policies EN6 and EN6/1 of the Bury Unitary Development Plan and the NPPF.

Flood Risk - The application site is in flood zone 2 and the primary source of flooding would be from the River Irwell adjacent.

The proposed residential dwellings would be classed as more vulnerable, which are considered to be appropriate development as defined by the flood risk vulnerability classification of the technical guidance to the NPPF.

A sequential test has been undertaken and Summerseat, Greenmount and Holcombe Brook were searched for suitable alternative sites. Five sites were assessed, but these were not considered to be reasonably available for reasons including green belt, flood risk, and their availability or lack of. As such, there is not another site, which could reasonably provide a similar scale of development in a lower flood zone.

The Flood Risk Assessment (FRA) states that the site would not experience flooding during the 1 in 100 year flood event, the 1 in 100 year plus 30% climate change event and the 1 in 100 year plus 35% climate change flood event. The extreme 1 in 1000 year flood event

would flood the lowest part of the site to a maximum depth of 0.14 m.

The proposed finished floor level for the proposed building should be set at 109.22m AOD. This would be 0.94 metres above the 1 in 100 year plus 35% climate change flood level and 0.48metres above the 1 in 100 year plus 70% climate change flood level.

The access route into and out of the site would be located in flood zone 1 and as such, would remain dry during a 1 in 100 year flood event and in the extreme 1 in 1000 year flood event.

The Environment Agency has no objections to the proposed development subject to conditions relating to finished floor levels and a method statement for the removal of invasive species.

Therefore, the proposed development would be acceptable and would be in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development would utilise the same access point that served the car park. The proposed plans indicate that appropriate levels of intervisibility can be achieved and turning facilities would be provided. 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 number of parking spaces is 2 spaces per 1 bed and 2.5 spaces per 2 bed dwellings as the site is located in a low access area. This equates to 38.5 spaces.

The proposed development would provide 33 spaces. This would equate to 2 spaces per unit and 1 visitor space. The proposed development would contain charging points for electric vehicles and the village is served by a bus service, which operates on an hourly basis. Taking these provisions and the car parking spaces provided, it is considered that the level of car parking would be acceptable in this case. Therefore, the proposal 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 of £24,991.20 in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1 and 1 affordable unit would be provided in accordance with the NPPF. These provisions would be secured through a section 106 agreement.

Conclusion - Overall, the site represents a brownfield site within the Green Belt, which is located within a Conservation Area and in proximity to Listed Buildings.

The redevelopment of a brownfield site is encouraged in the NPPF with the checks and balances of ensuring that there is no harm on openness as a result of development. It is considered that this development would, as infill, not cause harm on openness by reason of scale, siting and positioning.

The development would provide and contribute to much needed housing supply in the borough.

In considering the heritage issues, the current appearance and contribution of the site is considered to be partly neutral (cleared area) and negative in terms of the river wall. The Conservation Area, Listed Buildings and setting are considered to hold significant weight in the consideration of development. However, the carefully considered form, scale, positioning and assimilation of the proposed development in the existing context is appropriate, and would preserve the character of the Conservation Area and the setting of the Listed Buildings.

The layout, scale and form of the proposed development is appropriate to the character of

this village and would be suitably serviced in terms of amenity space, car parking and access. Flood risk has been appropriately considered and there are no objections from the Environment Agency. Ecology and landscape equally would not be impacted upon negatively.

Given the above, it is considered that the scheme would be appropriate.

Response to objectors

- The issues relating to traffic, parking, design, the impact upon the conservation area and listed buildings, the impact upon residential amenity, trees, flood risk and Green Belt have been addressed in the main report.
- The plans contain sufficient detail for an application of this nature.
- The proposed development would be constructed from stone with a zinc clad roof, which would match and complement the existing properties in the village.
- The issue of whether the building of this height and mass can be constructed on this site would be a matter for Building Regulations and is not relevant for planning.
- The issue of insuring the building post completion is not a material planning consideration and cannot be taken into consideration.
- The Council has to assess the scheme submitted, which is for a block of apartments.
- The application is determined on whether the development proposals are acceptable and not who the applicant is, or their actions.
- Policy OL5/2 states that if the development is acceptable in Green Belt terms, it would be considered to be in accordance with Policy OL5/2 on River Valleys.
- There would be no built development on the slope adjacent to Hill Street and as such, there would be no adverse impact upon the stability of the land.

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 Paragraph 38 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 18/518.SLP Rev B, 18-518-11 Rev C, 18-518-12 Rev C, 18-518-13 Rev C, 4014/02, 4014/03 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. A sample panel of stonework and mortar, demonstrating the colour, texture, face bond and pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development. Samples of the roofing materials shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.

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

4. No development shall commence unless and until:-
- A 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 15 - 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.

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 15 - Conserving and enhancing the natural environment.

6. Prior to the commencement of the development hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the building hereby approved.

Reason. In accordance with paragraph 35 and 124 of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

7. The finished floor levels for the building hereby approved shall be 109.25 metres AOD.

Reason. To reduce the impact of flooding on the proposed development and future occupants pursuant to Policy EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

8. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*), Himalayan Balsam (*Impatiens Glandulifera*), Rhododendron and Vaiegated Yellow Archangel is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 -

Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

9. The target noted trees TN1 as identified in the Preliminary Ecological Appraisal - UES Reference UES02435/01 shall be retained.
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. 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.

10. No development shall commence unless or until, a lighting plan for the external lighting has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- Show how and where external lighting will be installed and through appropriate lighting contour plans demonstrated clearly that any impacts on bats and otters using the River Irwell will be negligible;
 - Specify frequency and duration of use.

All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy.

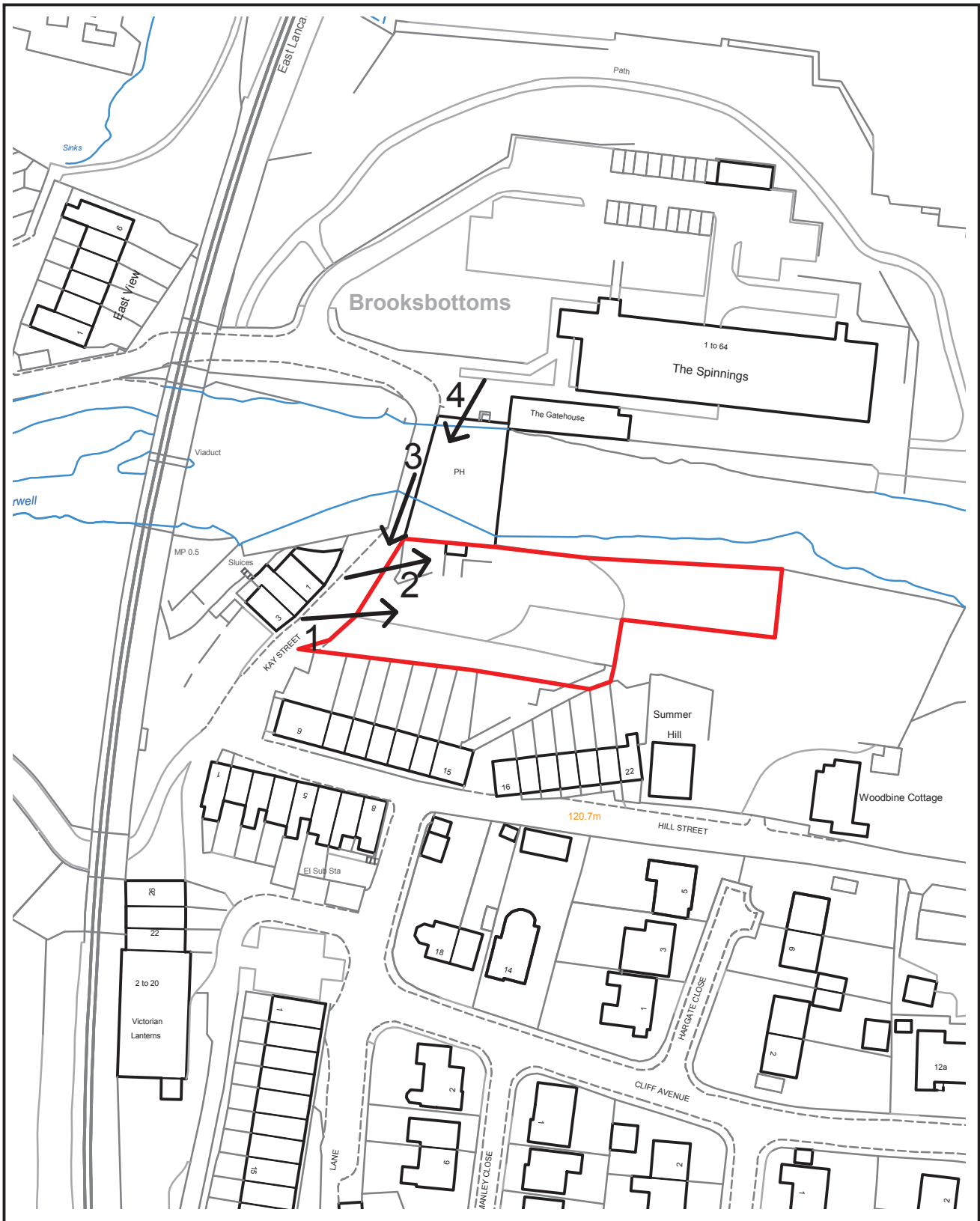
Reason. No details of the external lighting has been provided and to ensure no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

11. No development, site clearance or earth moving shall take place and no material or machinery shall be brought on site unless and until a method statement including a plan of compounds, wheel washing facilities, storage of materials and chemical to protect the River Irwell from accidental spillages, dust and debris has been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall be implemented before site works commence and shall be maintained for the duration of the construction period.
Reason. No information has been submitted and to ensure that no harm is caused to the River Irwell 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.
12. Notwithstanding the submitted scheme, an updated landscaping scheme, including a scheme for replacement trees, shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; 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 Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

13. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the extension 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.
14. The refuse storage facilities indicated on the approved plans shall be implemented and made available for use prior to the development hereby approved becoming first occupied and shall thereafter remain available for use at all times.
Reason. In order to ensure that the development would maintain appropriate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63630

**ADDRESS: Land off Kay Street,
Summerseat**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

63630

Photo 1



Photo 2



63630

Photo 3



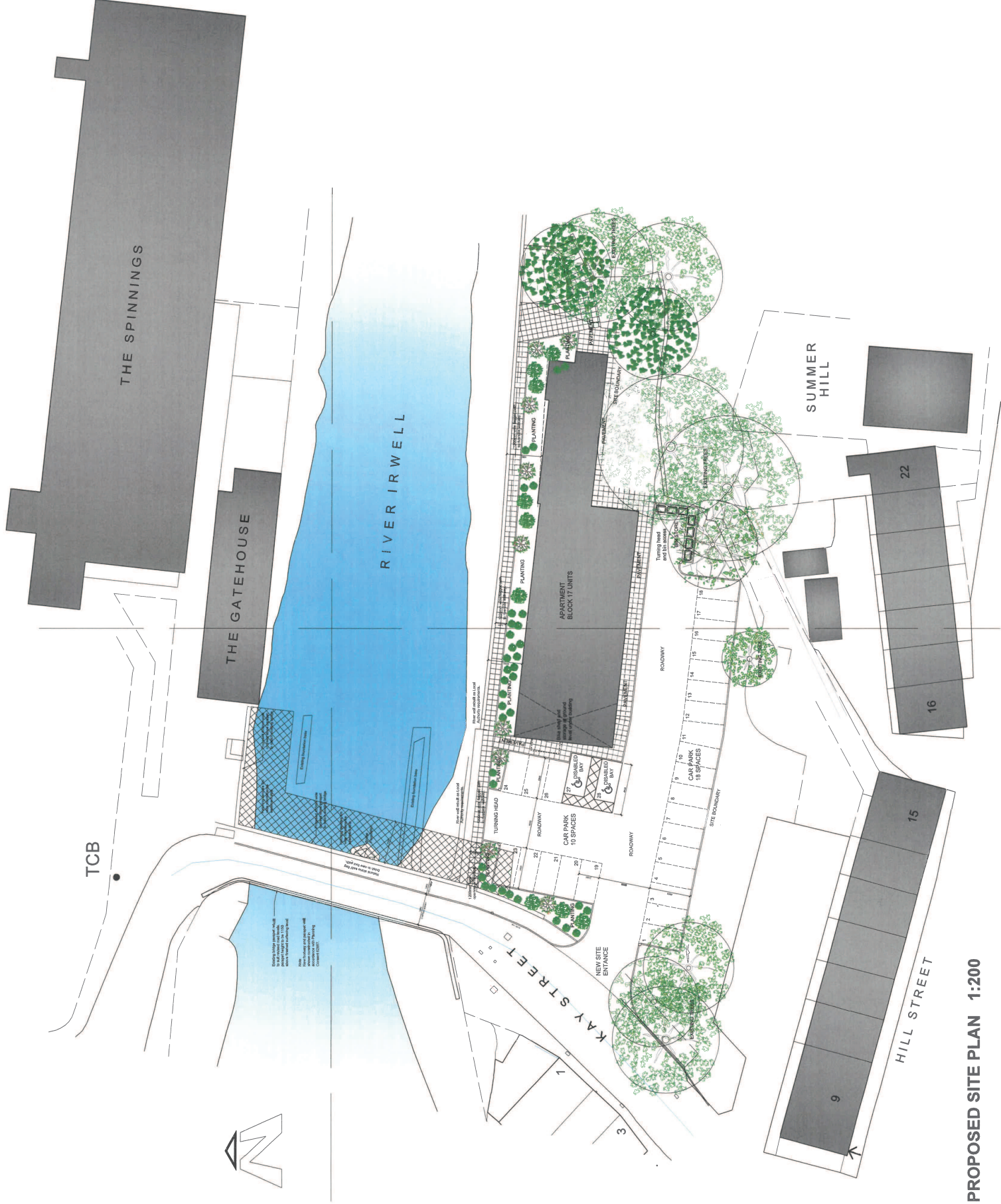
Photo 4



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- This drawing is to be read in conjunction with all relevant drawings and specifications and is to be modified to the extent necessary to comply with all relevant regulations and standards.

REV: AMENDMENTS DATE



Project	RESIDENTIAL DEVELOPMENT WATERLODE SUMMERLEAZE
Drawing	PROPOSED SITE PLAN
Client	KINGSLY PROPERTIES LTD
Drawn By	MMO
Scale	1:200
City No.	15015-14
Dwg. Size	A1
Date	DECEMBER 2019

JOHN HOLT ARCHITECTS LTD.

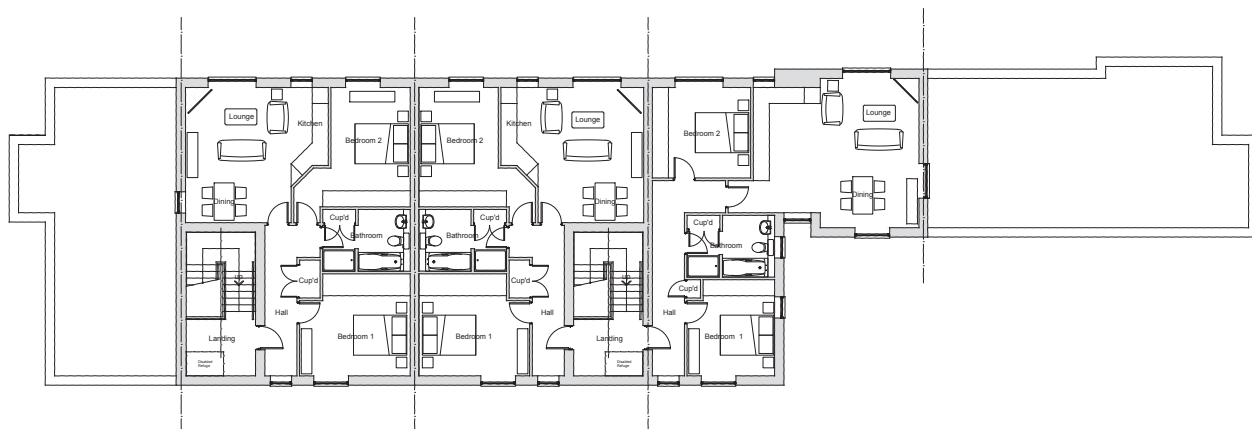
3 MANCHESTER ROAD BURY LANCASHIRE BL9 0DR
 TEL: 0161 251 1111 FAX: 0161 251 1112
 E-MAIL: info@johnholt.co.uk
 DO NOT SCALE DRAWING

PROPOSED SITE PLAN 1:200

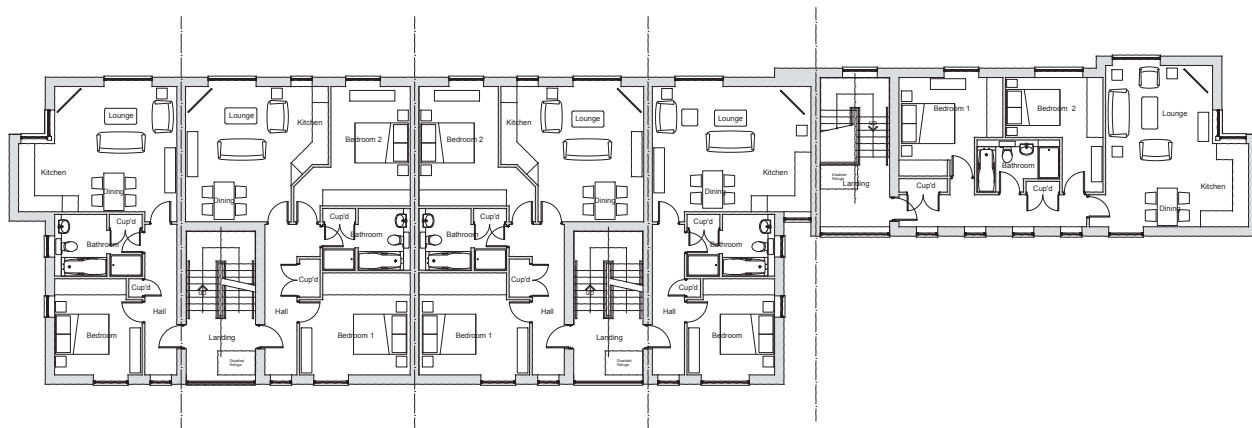
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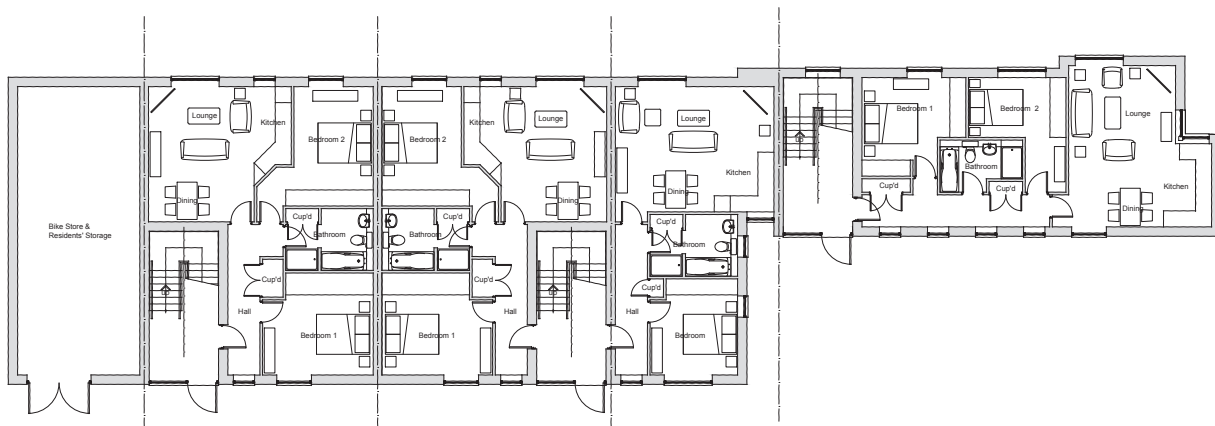
REV. AMENDMENTS DATE



Third Floor Plan



First/Second Floor Plan



Ground Floor Plan

Project	RESIDENTIAL DEVELOPMENT WATERSIDE SUMMERSEAT PROPOSED FLOOR LAYOUTS
Client	KINGSLEY PROPERTIES LTD
Dwn. By	MM/d
Scale	1:100
Dwg. No.	18-018-02
Dwg. Size	A1
Date	DECEMBER 2018

JOHN HOLT ARCHITECTS LTD.

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 TELEPHONE: 0161 764 0314 FACSIMILE: 0161 764 0995
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- This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

REV.	AMENDMENTS	DATE
A	Drawing amended to suit Planning Dept comments	29.03.19
B	Updated to suit client comments	18.04.19
C	Updated to Planning Dept request	07.05.19



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

Project	RESIDENTIAL DEVELOPMENT		
Drawing	WATERSIDE SUMMERGAT		
Client	KINGSLEY PROPERTIES LTD		
Dwn. By	MM/D		
Scale	1:100		
Dwg. No.	18-518-13-Rev C		
Dwg. Size	A1		
Date	DECEMBER 2018		

JOHN HOLT ARCHITECTS LTD.

63630

3D Images



Ward: Prestwich - Holyrood

Item 03

Applicant: Bridge-It Enterprises Ltd

Location: Heaton Park Congregational Church, Bailey Street, Prestwich, Manchester, M25 1HQ

Proposal: Change of use from church (Class D1) to housing office (Class B1)

Application Ref: 64173/Full

Target Date: 10/07/2019

Recommendation: Approve with Conditions

Description

The application relates to the ground floor (200sqm) of the former church building that has apartments above. The building was built as a more functional church/community space when the original church was deemed 'not fit for purpose', being too large, unmanageable and very run-down. The main church was therefore converted to 16 residential apartments with an additional 7 apartments above the new church space.

In recent years, with a declining congregation, the ground floor of the building has not been used for conventional church services but functioned as a centre with associated offices for the youth and children's section of the Congregational Church. The centre and offices have now closed and the ground floor is now vacant.

The site has space for 2/3 cars, accessed from Bailey Street. There is on-street parking on the roads around the site, Bailey Street, Newtown Street, Grey Street and Heaton Street. The nearest main throughroute is Bury Old Road, approximately 150m to the east and Heaton Park Metro station is approximately 280m away.

The applicant, Bridge-it Enterprises proposes to change the use the ground floor church/community space to B1 offices for administrative staff. The former worship area and multi-purpose spaces would be converted into three offices with the lobby, kitchen and cafeteria and toilets remaining in situ. There would be approximately five staff, who would split time between the offices and 'on-site' work. The staff would manage the organisation's property portfolio in the North Manchester area. In addition to staff, there would be the occasional visitors (maximum 5/6 per day) attending by appointment to deal with applications for tenancies etc. The office working hours would be 9am to 5pm Monday to Friday.

Relevant Planning History

43014/04 Conversion of church to residential (16 Units), new church and community facility with residential (7 units) above Approved 1/12/05
64174 - 1 No. non-illuminated fascia sign - Undecided.

Publicity

The following 75 neighbours were notified by letter dated 16/05/19. Nos.1-4, 32-40(even) Bailey Street, 24-36(even) Newtown Street, 1-23 Grey Street, 1-19 Heaton Street. A site notice was posted and press notice in Bury Times 23/05/19.

Individual objections have been received from occupiers 2 Bailey Street, 11a, 18, 19a, 20 and 58 Heaton Street, 12a, 20 and 20a Newtown Street and a 50 name petition has also been received. Objections are summarised:

- The clients visiting the offices are not suited to the residential area.
- Site is close to a children's recreation area.

- The business won't bring any social or economic benefits to the local area.
- The increased volume of traffic, and parked vehicles will cause a greater danger to young children and is a health and safety nightmare.
- Only 75 letters of notice of planning were sent out to residents in the area although there are over 1000 people around the site will be directly affected by this change of use.
- It's inappropriate to have an office supporting homeless in a residential area.
- Bridge-it support vulnerable adults which include substance misuse and low level mental health needs .
- This is already a congested area and 5 office workers parking there would increase this.
- Will change demographics of area in a negative way.
- Bridge It provide housing & support to homeless people (& possibly ex offenders).
- There's a children's play area & a bowling green in very close proximity. What risk assessments will be done with regards to safeguarding.
- From time to time people may visit the office. How does one police from time to time? If they are homeless it's unlikely they'll have internet access so will have to present themselves at the office to be accommodated.
- Bridge-It Housing adopt an open door policy. This contradicts what's sited on planning application as occasional foot flow. All 8 existing Bridget-It Housing offices are located in non-residential areas.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Conservation - No objection.

Pre-start Conditions - Not applicable.

Unitary Development Plan and Policies

EN2/3	Listed Buildings
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
EC4/1	Small Businesses
EC5	Offices
EC5/3	Other Office Locations
EC6/1	New Business, Industrial and Commercial
NPPF	National Planning Policy Framework
EN7/2	Noise Pollution

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 and Guidance - The National Planning Policy Framework (NPPF) states that the planning system has three overarching interdependent objectives, economic, social and environmental and there is a presumption in favour of sustainable development.

Within the Unitary Development Plan, the following policies are considered relevant.

EC4/1 Small Businesses. 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.

EC5/3 Other Office Locations. Outside town and district centres, and sites identified for office use, development for further office uses will not be permitted except for:

- a) small scale developments providing a direct service to a local area;
- b) refurbishment or conversion proposals which would result in the retention of buildings of architectural or historic interest;
- c) proposals for office-type homeworking where existing residential amenity would not be adversely affected.

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.

EN2/3 Listed Buildings. The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained.

HT2/4 Car Parking and New Development. The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

Use - The premises are currently vacant and therefore not adding to the viability and vitality of the streetscape. The National Planning Policy Framework states that planning policies should promote business investment and in particular support the development of under-utilised land and buildings. The Unitary Development Plan also recognises the need to support small businesses where appropriate.

Although ideally, offices would be located within existing commercial centres, it is not unusual for small scale offices (B1) to be situated outside these areas provided that they do not have a seriously adverse impact on neighbour amenity or their surroundings, they are considered acceptable.

In their supporting statement, the applicant states that they have looked extensively for suitable premises in existing commercial areas within the North Manchester area but without success. They state that these premises are well suited for their purpose and close enough to public transport routes on Bury Old Road, 150m to the east, to be relatively sustainable and Heaton Park Metro station is less than 300m away.

The organisation helps people to find appropriate accommodation in the surrounding areas and to this end, it is welcomed. The proposed offices are for administration and would not generally not involve public visiting without appointment (significant numbers of visiting public would take the use into an A2 office use rather than a B1 office use and therefore require planning permission). In principle, the location of small scale B1 offices on the site would comply with the NPPF and UDP Policies.

Visual amenity - As there are no external alterations beyond a modest fascia sign, there are no visual amenity issues arising from the proposal. Indeed, maintaining the ground floor of the building in active use would be beneficial within the streetscape in maintaining a degree of activity and vitality. As such the proposal is acceptable and complies with UDP Policy EN1/2 Townscape and Built Design.

Residential amenity - Given the scale of the office development, modest staffing, limited visitor levels and hours of opening, there would be no significant impact on residential amenity.

It is noted that the current use of the ground floor of the building, as a D1 church and community facility, has the potential to generate significantly more noise and activity throughout the daytime and evenings from church services and community group activities such as playgroups and adult classes with the added 'knock-on' impact of potential traffic.

Traffic and Parking - With five staff and limited visitors, the traffic generated by the new use would not be significant, particularly when compared to what could be generated by the existing church/community use or other 'permitted' uses within the D1 'Non-residential institution' category, which could operate into the evening with significant numbers of visitors attending on foot and by car.

The proposed office use in terms of traffic generation, would have significantly less impact than the current use and as such would comply with the NPPF and UDP Policies EC4/1 Small Businesses and HT2/4 Car Parking and New Development.

Servicing - A condition attached to any approval would ensure that bin storage and collection arrangements would not cause undue harm to amenity and it is not expected that deliveries would be so significant to warrant the need for a dedicated service area.

Objections - Some of the objections, implying that significant numbers of homeless people, drug addicts and ex-offenders would be visiting the premises on a daily basis to the detriment of surrounding residents, are considered misplaced given the B1 use class applied for and the information supplied by the applicant and as such have not been afforded great weight in the assessment of this planning application. The use of the premises as offices should not have a detrimental impact on residents enjoyment of nearby parks and recreation areas.

The issues relating to parking are material planning issues and it is considered, given the modest staffing levels and limited visitor numbers, the traffic generated by the proposed use would be significantly less than the existing use of the premises as a church or other community functions/activities. It is also noted that, with the existing D1 use, the premises could be used for other more traffic intensive uses - health centre, day nursery, public hall etc.

On balance, the proposed B1 office use is considered acceptable and complies with the NPPF and UDP policies and guidance.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

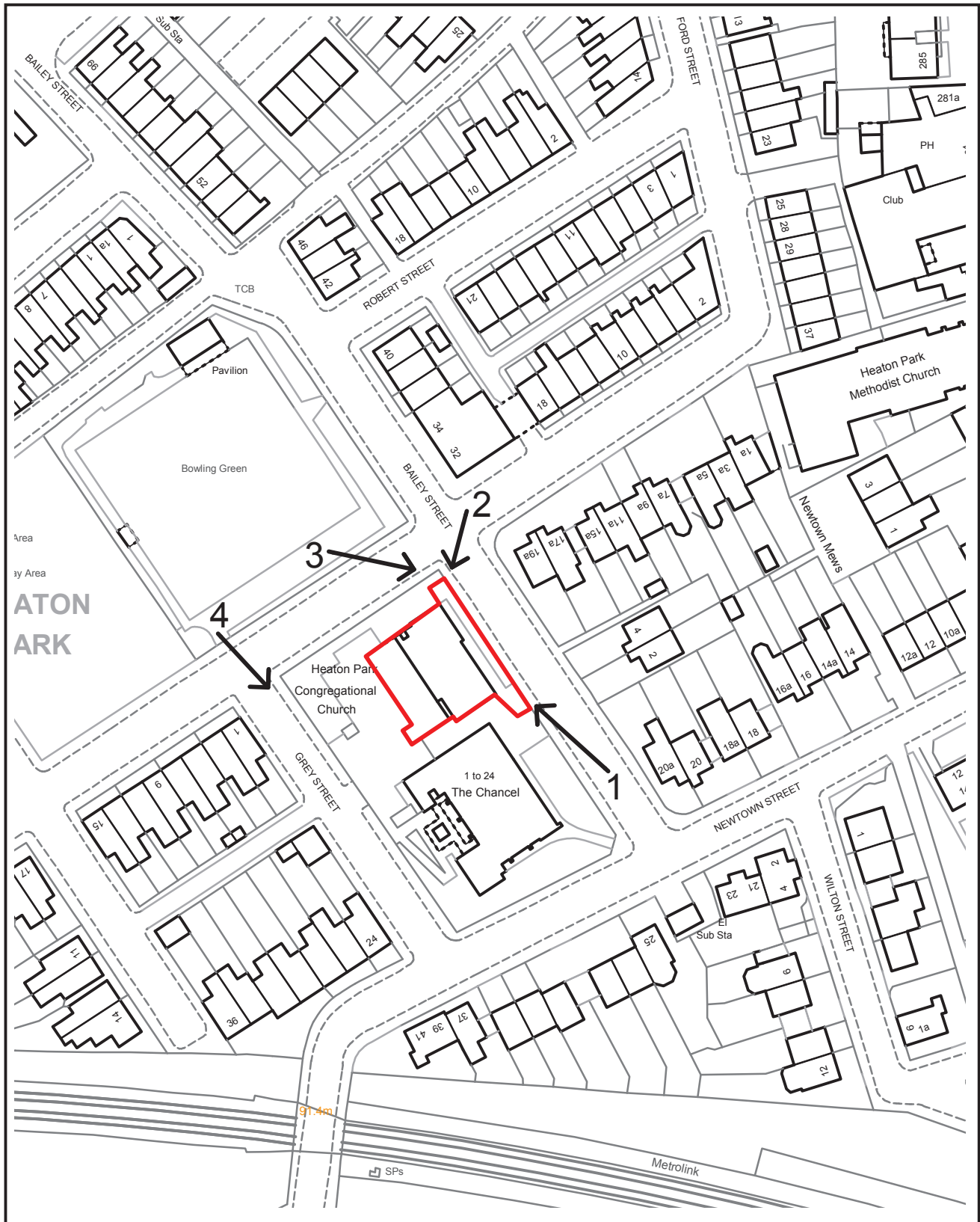
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to existing and proposed site plans received 10/05/19 and the development shall not be carried 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. All work and other activity shall be confined to the following hours:-
0800 hrs to 1800 hrs, Monday to Saturdays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC4/1 Small Businesses, EC6/1 Assessing New Business, Industrial and Commercial Development.
4. Prior to commencement of the use hereby approved, details of proposed refuse storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation and maintained thereafter.
Reason. In order to maintain adequate facilities for the storage of waste, in the interests of amenity and pursuant to the following Unitary Development Plan Policy EC4/1 Small Businesses.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64173

**ADDRESS: Heaton Park Church, Bailey Street
Prestwich**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64173

Photo 1



Photo 2



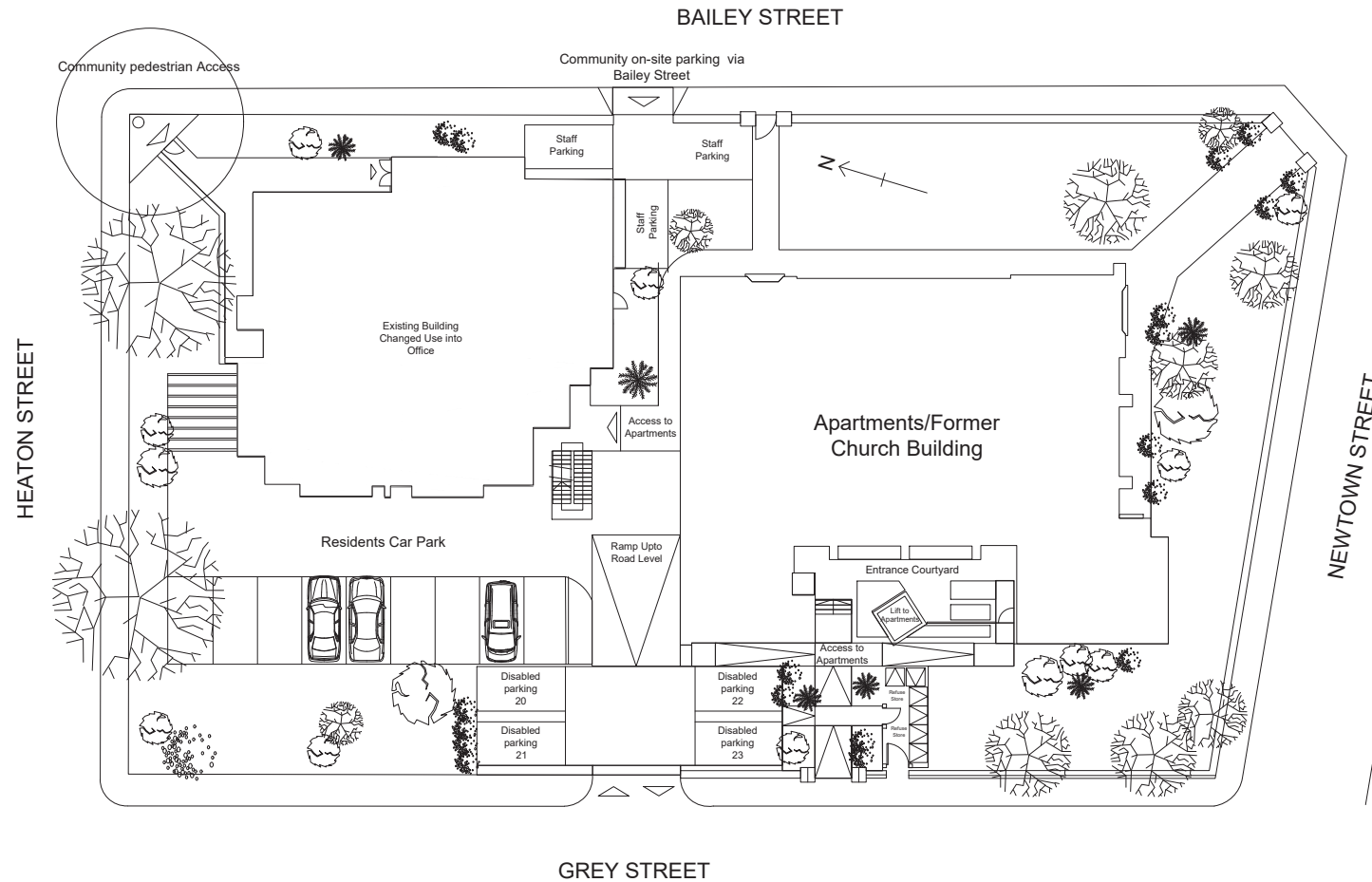
64173

Photo 3



Photo 4





PLANNING

Heaton Park Congregational Church
and Community Hall, Bailey St,
Prestwich, Manchester M25 1HQ

Block Plan

Scale: 1:100 @ A1
Reviewed by: MJC

job	drawing	rev
7160	0.100	-



mACHUdESIGN

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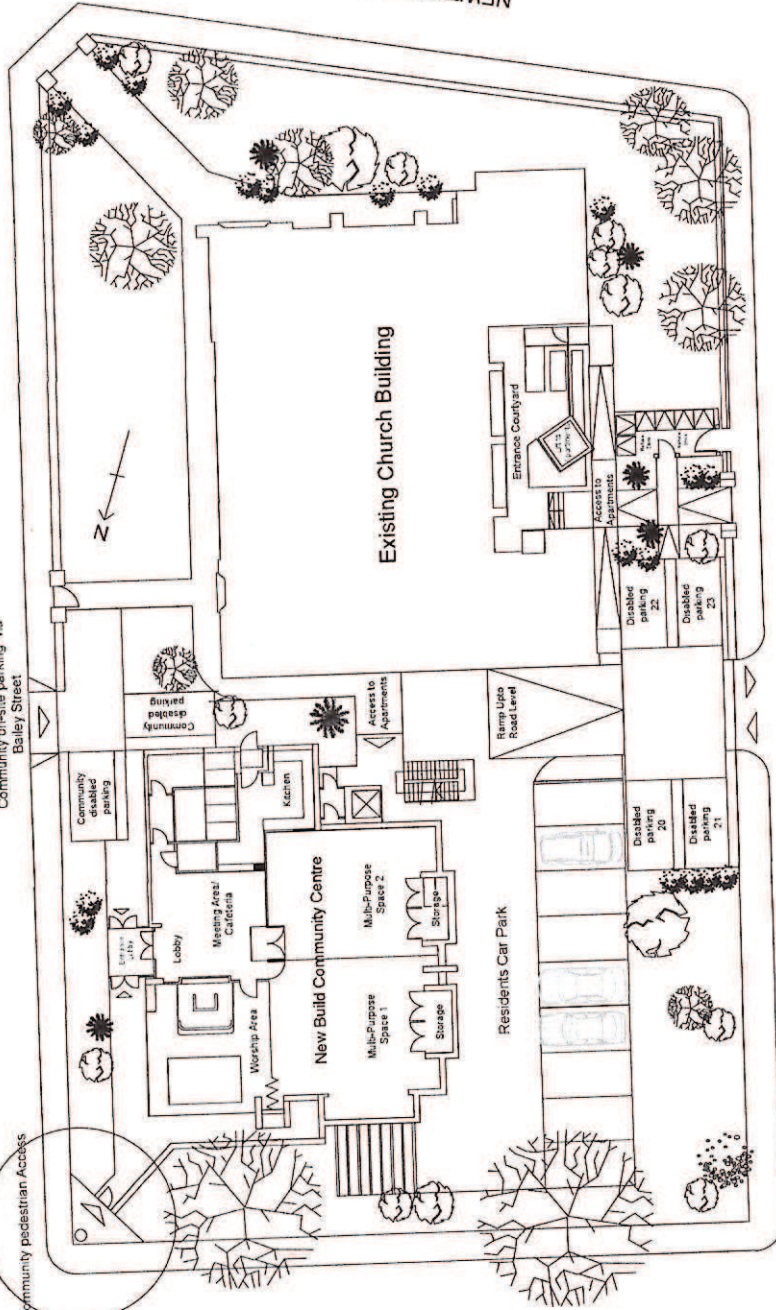
architectural technology
product design
landscape design
interior design
graphic design
web design
regeneration & renovation
planning
3d visualisation

EXISTING SITE PLAN

BAILEY STREET

Community on-site parking via Bailey Street

Community pedestrian Access



HEATON STREET

GREY STREET

PLANNING

Heaton Park Congregational Church
and Community Hall, Bailey St,
Prestwich Manchester M25 1HQ

Existing Site Plan

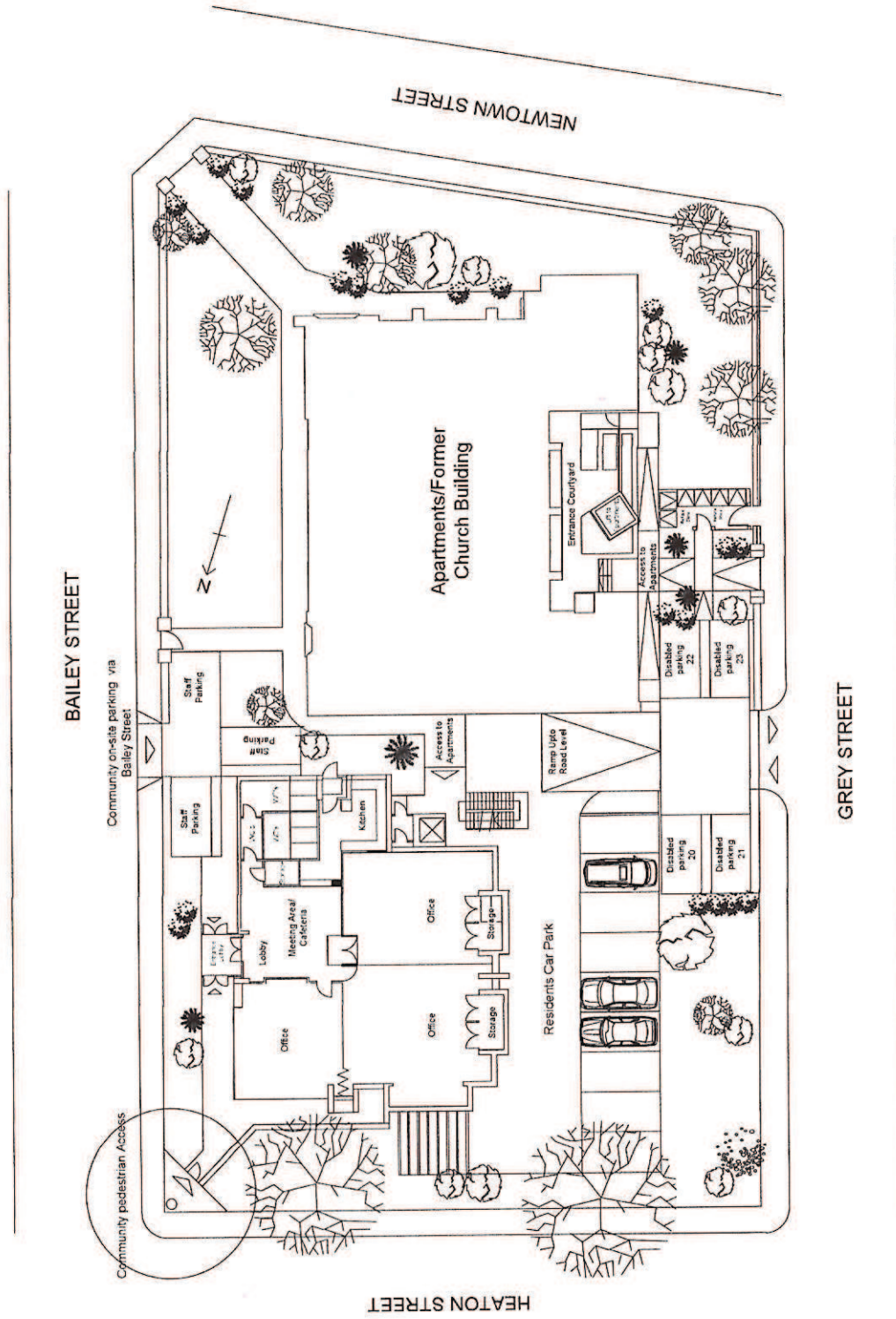
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Proposed by: 1:500

7180 0.100

MANCHESTER

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Email: info@manchester.gov.uk
Website: www.manchester.gov.uk

PROPOSED SITE PLAN



PLANNING	
Heaton Park Congregational Church and Community Hall, Bailey St, Prestwich, Manchester M25 1HQ	
Existing Site Plan	
Scale: 1:500	Date: 11/01/2019
7180	0.100
mACHUDESIGN 400 Bolton Road Bolton, Lancashire BL1 1JH Tel: 0161 275 2529 Email: info@machudesign.co.uk Website: www.machudesign.co.uk VAT: 264 845 123 Registered in England No. 0845 1234 Registered Office: 400 Bolton Road, Bolton, Lancashire BL1 1JH	

Ward: Radcliffe - West

Item 04

Applicant: Owl Estates

Location: Land at Hutchinson Way, Radcliffe, Manchester, M26 3SB

Proposal: Erection of 8 no. dwellings

Application Ref: 64199/Full

Target Date: 10/07/2019

Recommendation: Approve with Conditions

Description

The application site comprises 2 separate parcels of land, separated by Hutchinson Way and Buckley Street. Both sites contain grassed areas and until recently contained mature trees. The trees were cut down before the original application (62166) was validated. There are two residential properties immediately to the north of the site, which are accessed from Hindle Street.

There are residential dwellings to the north of the site and a car park and nursery to the east. There is an area of amenity space and an electricity substation to the west and residential properties and a skate park to the south.

Planning permission was granted for 7 dwellings and refused for 1 dwelling (plot 8) in June 2018. The properties were located in two terraces of four dwellings on either side of Hutchinson Way. The dwellings were 2 storeys in height with rooms in the roofspace and would be constructed in render with stone quoins and a tile roof. Parking would be located to the north of block 1 and would be accessed from Hindle Street and parking for block 2 would be located at the rear of the dwellings and would be accessed from Buckley Street. The single dwelling was refused as it obstructed forward visibility on Hutchinson Way.

The proposed development involves the erection of 8 dwellings. The proposed dwellings will be located in 2 terraces on either side of Hutchinson Way, as per the previous application. The proposed dwellings would be two storeys in height with rooms in the roofspace. The proposed development would be accessed from Hindle Street, which would serve block 1 and from Buckley Street, which would serve block 2.

Relevant Planning History

48574 - Demolition of day nursery and 2 houses; construction of 70 apartments with semi-basement parking; construction of new day nursery with associated surface car parking at land at Hutchinson Way/Hindle Street, Radcliffe. Approved with conditions - 14 December 2007.

62166 - Proposal A - Erection of 7 dwellings; Proposal B - Erection of 1 dwelling (plot 8) at land at Hutchinson Way, Radcliffe. Split decision - 19 June 2018

Pre-application enquiry

01982/E - Residential development of 20 no. dwellings at land off Buckley Street, Radcliffe. Completed - June 2017

Adjacent site

34519 - Residential development - 1 dwelling at land adjacent to 15 Hindle Street, Radcliffe. Approved with conditions - 18 September 1998.

39157 - Change of use from public house (Class A3) to childrens day care centre (Class

D1) at The Peel Monument public house, Victoria Street, Radcliffe. Approved with conditions - 31 May 2002

41466 - Erection of detached dwelling at land adjacent to 15 Hindle Street, Radcliffe. Approved with conditions - 8 December 2003.

53160 - Single storey side extension (retrospective) at Clever Cloggs Nursery, 56 Green Street, Radcliffe. Approved with conditions - 3 March 2011.

Publicity

The neighbouring properties were notified by means of a letter on 21 May 2019.

5 letters have been received from the occupiers of 11, 19, 21 Mulberry Close, 33 Hutchinson Way, 73 School Street, which have raised the following issues:

- We were concerned when the landowner felled the site illegally before the last application.
- Hutchinson Way is very busy at all times of the day and serves a school and houses.
- The speed bumps are ineffective at calming traffic.
- Metrolink users park their cars in this area.
- The applicant felled the trees without the relevant authority. The Council should make a stand against this by refusing the application and insist on new trees being planted.
- Building on this land will create blindspots.
- The impact of the development will be similar to the last scheme.
- Why are we building on green sites, where there are brown sites nearby.
- The trees contribute to local wildlife and a rural feel on the estate.
- Residents are disappointed that Bury Council allowed the trees to be removed and granted permission.
- Concern about drainage as water pools on the access road at the back of School Street.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to a scheme of highway works, including resurfacing and footway crossings, a construction traffic management plan and car parking.

Drainage Section - No response.

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

Environmental Health - Air Quality - No objections, subject to the inclusion of condition relating to electric charging points.

Property & Technical Services - No response

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

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

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to nesting birds and off-site compensation for nesting birds.

Waste Management - No response.

Pre-start Conditions - Awaiting confirmation from the agent that pre-commencement conditions are acceptable.

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
EN1/1	Visual Amenity
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
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
CF5	Childcare Facilities
Area	Green Street/New Church Street
RD2	
SPD1	Open Space, Sport and Recreation Provision
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 (Employment) - The land to the west of Hindle Street is located within an Employment Generating Area (EGA) and as such, Policy EC2/2 is applicable.

Policy EC2/1 states that in EGAs, the Council will only allow development for business (B1), general industrial (B2) and warehousing (B8). 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 EGA is split between a higher level (Hutchinson Way), which is predominantly residential in use and the lower area (Sion Street), which is industrial in character. As the proposed site occupies a small area within the upper section of the EGA, which is predominantly residential, it is considered that the proposed development would constitute limited development and as such, would be in accordance with Policy EC2/1 of the Bury Unitary Development Plan.

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 is located within the urban area and there are a mix of uses, including residential, a school, nursing home and nursery in the locality. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with regard to services and public transport. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout - The proposed development would provide 8 dwellings, which would be located in 2 terraces of 4 dwellings. Both terraces of properties would front onto Hutchinson Way. The proposed dwellings would be two storeys in height with rooms in the roofspace, which would reflect the mix of properties in the locality. The proposed dwellings would be constructed from render with stone quoins and a tile roof. The predominant material in the surrounding area is brick and as such, a condition requiring the properties to be constructed from brick would be included on any grant of planning consent. The use of headers, cills and a pike detail would add visual interest to the elevations. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policy EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

All of the proposed dwellings would have a rear garden, which would provide a suitable level of private amenity space. Notwithstanding the proposed plans, there would be space within the rear gardens for bin storage and this would be the subject of a condition. There would be 1.8 metre high timber boarded fencing to all boundaries, with the exception of the front garden areas, where a lower fence of 0.6 metres in height would be provided. The proposed boundary treatments would match the existing treatments in the locality. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies H2/1, H2/2, EN1/1 and EN1/2 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.

There would be 64.6 metres between the existing nursery building and the rear elevation of block 2 and there would be 30.2 metres between the front elevation of block 1 and the front elevation of block 2. These distances would be in excess of the minimum 20 metre aspect. There would be a minimum of 7 metres from the rear elevation of both blocks to the boundary of the rear gardens, which would comply with the aspect standards.

Nos 15 and 17 Hindle Street do not have any habitable room windows on the rear elevation facing the application site and the habitable room windows are located in both gable and front elevations. The proposed dwellings in block 2 would have an impact in terms of overshadowing, but this would not be considered to be significant. As such, the location of block 2 would not have a significant adverse impact upon the amenity of the neighbouring properties. Plot 1 of the proposed development would include 2 windows in the gable elevation, which would overlook the properties on Hindle Street. These windows would be a secondary window to a bedroom and a bathroom window. A condition will be included to ensure that both the windows in the gable elevation to plot 1 would be fixed and unopenable to protect the residential amenity of the neighbouring properties.

Therefore, the proposed development would not impact significantly upon the amenity of the neighbouring properties and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Ecology - The application sites did contain a number of trees, but these were removed prior to the first application being validated and processed. The trees were not protected under any preservation order and the site is not located within the conservation area. As such, no planning approval was required for their removal. However, the works required consent from the Forestry Commission, who is dealing with this as a separate matter to the planning

application. GM Ecology Unit have no objections to the proposal, subject to the inclusion of a condition (No. 8) relating to a landscaping plan, which must include mitigation for the loss of trees. Therefore, the proposed development would be in accordance with Policies EN6/3 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The car parking for block 1 would be located to the north of the proposed dwellings in a single area, which would be accessed from Hindle Street. The parking for block 2 would be located at the rear of the proposed dwellings and would be accessed from Buckley Street. There would be appropriate levels of visibility at these junctions.

Following discussions, the location of block 2 has been amended to ensure that appropriate forward visibility can be provided along Hutchinson Way. The Traffic Section has no objections, subject to the inclusion of conditions relating to a scheme of highway works including resurfacing and footway crossings, a construction traffic management plan and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards is 3 spaces per 4 bed dwelling. This equates to 24 parking spaces.

The proposed site plan indicates that 2 spaces would be provided for each of the proposed dwellings, which equates to 16 spaces. The proposed development is located in close proximity to Radcliffe town centre and has good access to public transport. As such, the proposed development is in a sustainable location and 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.

Response to objectors

- The issues relating to traffic and parking have been addressed in the report above.
- Condition 8 requires the applicant to submit a landscaping plan, which must include mitigation for the loss of trees.
- The principle of the development has been established by the grant of planning consent in June 2018.

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 Paragraph 38 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 the drawings received on 15 May 2019 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, which shall be red bricks to be used in the external elevations (not render), 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 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.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 15 - 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.
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 15 - 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.
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.
7. 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.
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 -

8. A landscaping scheme, including details of a scheme to mitigate for the loss of trees on site, shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; 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 Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
9. No development shall commence unless or until:
- A intrusive site investigation report to assess the actual/potential ground conditions and the potnetial risks posed to the development by past coal mining activity shall be submitted to and approved in writing by the Local Planning Authority;
 - Where actual/potential risks have been identified, a report containing details of any remedial works necessary shall be submitted to and approved in writing by the Local Planning Authority.
 - Where remedial works are required, the approved report shall be carried out to the satisfaction of the Local Planning Authority within agreed timescales;
 - 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. The scheme does not provide full details of the actual risks from coal mining and subsequent remedial works, which is required to secure the satisfactory development of the site in terms of human safety, the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
10. 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 should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
11. Notwithstanding the terms of the Town and Country Planning (General Permitted

Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application. Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

12. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
13. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details, on a topographical based survey of the site and adjacent highways, of the following have been submitted to and approved in writing by the Local Planning Authority:
- A scheme of highway works within the limits of the existing adopted highway on Hindle Street to a specification to be agreed with the Local Planning Authority, incorporating the resurfacing of the carriageway, formation of the proposed footway crossing required to access the proposed parking spaces, parking spaces a minimum of 5.0m in length, formation of a kerb and verge on the northerly side of Hindle Street, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works;
 - A scheme of footway works on Buckley Street to a specification to be agreed with the Local Planning Authority, incorporating the formation of the proposed footway crossing required to access the proposed parking spaces, parking spaces a minimum of 5.0m in length and in positions determined by the provision of an appropriate visibility splay at the back edge of the footway at the northerly boundary of Plot 5, reconstruction of the footway abutting the site, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works, including, if required, the relocation/replacement of the existing street lighting column and street nameplate;
 - Treatment of the area of land between Plot 1 and the proposed parking spaces;
 - All boundary treatments abutting the adopted highway incorporating a fence not exceeding the height of 0.6m adjacent to Plots 7 & 8 to ensure adequate intervisibility between users of the existing crossing facility on Hutchinson Way and north-bound approaching vehicles and that there will be no encroachment of adjacent footways by parked vehicles from the parking spaces adjacent to Plots 1 & 8;
 - Measures at the interface with the adopted highway to ensure that there will be no level differences between the back of the footway and the site;
 - Foundation details to ensure that there will be no adverse impact on/encroachment of the adopted highway at Hutchinson Way;

The details subsequently approved shall be implemented prior to first occupation of the dwellings hereby approved.

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

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design

Policy HT6/2 - Pedestrian/Vehicular Conflict

14. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local

Planning Authority and shall confirm/provide the following:

- Measures to maintain forward visibility at the bend and visibility at all junctions adjacent to the site;
- Access route for construction traffic from the highway network restricted to a route from Hutchinson Way;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site (or on land within the applicant's control) of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this.
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. 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. Information not 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 and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

15. Notwithstanding the submitted plans, no development shall commence unless or until details of the bin stores, which must be located in the rear gardens, have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented.

Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers and would not impact upon visibility and highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development

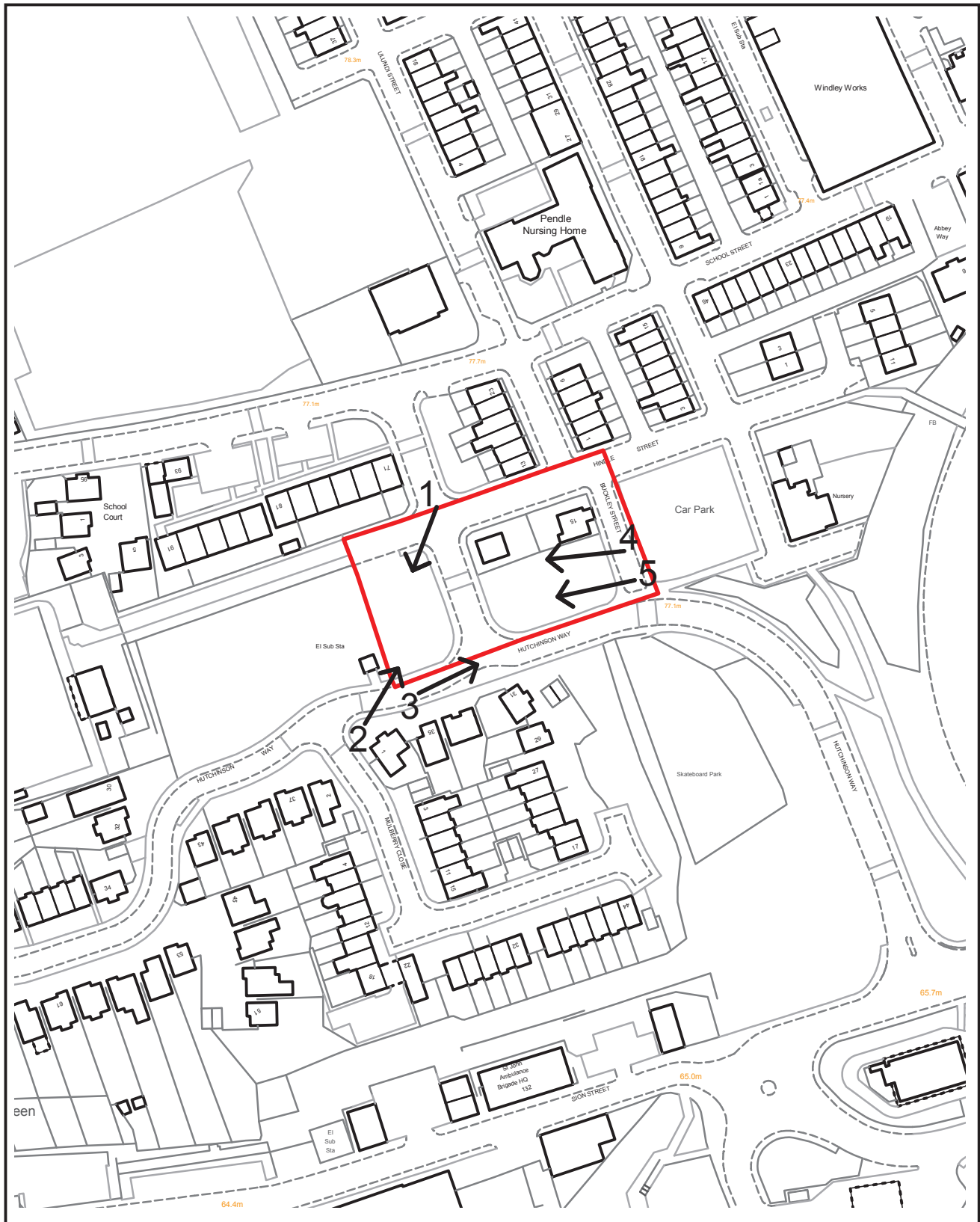
Policy EN1/2 - Townscape and Built Design

16. Before the first occupation of plot 5 hereby permitted the windows on the northern elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 - The Form of New Residential Development and Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64199

**ADDRESS: Land At Hutchinson Way
Radcliffe**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64199

Photo 1



Photo 2



64199

Photo 3



Photo 4



64199

Photo 5



	block 2	
	garden	
	block 1	
	Paving within development	

ALL DRAINAGE
TO EXISTING
PUBLIC SEWER



NORTH

SITE PLAN: 1:200 ON A0
PAPER
NEW RESIDENTIAL
DEVELOPMENT AT LAND
OF BUCKLE STREET
RADCLIFFE

BARRY CULLEN
ARCHITECTURE
email: barrycullen_bc@yahoo.co.uk
mob: 07851262895





FRONT
ELEVATION
block 1&2

Gates to be no higher on this block than 600mm due to visibility requirements

FINISHES
WINDOWS/DOORS: UPVC
WALLS: K REND PAINTED
ROOF: TILES BLACK
HEADS QUINS:
SANDSTONE
GUTTERING: UPVC
BOUNDARY: AS PER SITE
PLAN/ELEVATIONS

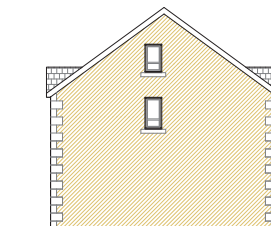


REAR
ELEVATION
block 1

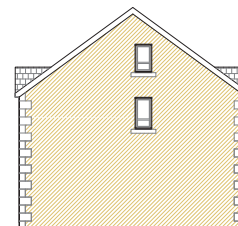


REAR
ELEVATION
block 2

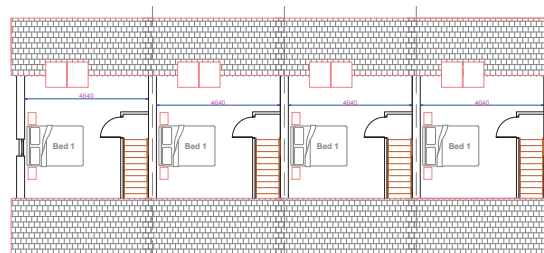
2M HIGH TIMBER FENCE



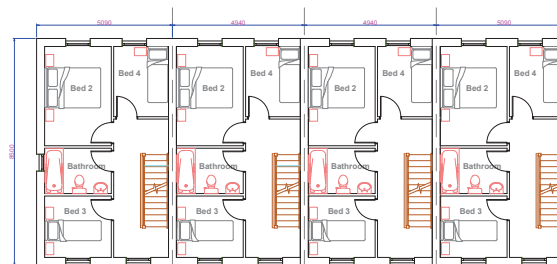
RHS
ELEVATION



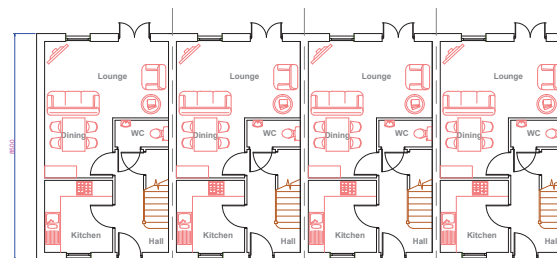
RHS
ELEVATION



LOFT
BLOCK 1 & 2



FIRST
BLOCK 1 & 2



GROUND

NOTES

REVISIONS

4.6.2018 PLANNING

HOUSING DEVELOPMENT RADCLIFFE
PLANS ELEVATIONS

CLIENT:ZAF

SCALE: 1:100

REFERENCE NO: 1083 R2 ELEVATIONS
AND ELEVATIONS

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