

Title	Planning Applications
To:	Planning Control Committee
On:	12 November 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:	Ramsbottom + Tottington - Tottington	App No.	63857
	Location:	Rayhome House, Walshaw Road, Bury, BL8 1PR		
	Proposal:	Change of use of existing business and general industry use (Class B1 & B2) to mixed use leisure (Class D2), cafe (Class A3), partial retention of office use (Class B1) and pedestrian access and parking works.		
	Recommendation:	Approve with Conditions	Site Visit:	N
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02	Township Forum - Ward:	Bury East	App No.	63992
	Location:	Land between 60 and Unit 6 Millett Street, Bury, BL9 0JA		
	Proposal:	Erection of a building to contain 36 no. apartments with associated external works, car parking and landscaping		
	Recommendation:	Minded to Approve	Site Visit:	Y
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03	Township Forum - Ward:	Bury East - Moorside	App No.	64437
	Location:	Davises Farm, Mather Road, Bury, BL9 6TJ		
	Proposal:	Retention of timber storage building granted temporary consent and addition of brown corrugated steel lean to extensions		
	Recommendation:	Approve with Conditions	Site Visit:	Y
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04	Township Forum - Ward:	Radcliffe - West	App No.	64461
	Location:	Land at Hutchinson Way, Radcliffe, Manchester, M26 3SB		
	Proposal:	Proposed additional dwelling to create a terrace of 5 no. dwellings		
	Recommendation:	Approve with Conditions	Site Visit:	N
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05	Township Forum - Ward:	Prestwich - Sedgley	App No.	64493
	Location:	45 Bury Old Road, Prestwich, Manchester, M25 0EY		
	Proposal:	Variation of conditions no.2 (approved plans) and no.3 (materials) of planning permission 62557 for extensions and change of use to existing dwelling to form a post graduate study centre (Class D1) and formation of new vehicular access from Kings Road. Changes are: External alterations to include a render finish to front, render and coursed stone to side and part of rear, changes to windows on front and side elevations and minor internal layout modifications.		
	Recommendation:	Approve with Conditions	Site Visit:	N
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06	Township Forum - Ward:	Bury East - Moorside	App No.	64603
	Location:	1-3 Haslam Street, Bury, BL9 6EQ		
	Proposal:	Change of use from shop (Class A1) to mixed use comprising of hairdressers/restaurant/cafe/bar/tattoo studio with storage at rear (Classes A1/A3/A4/B8/Sui Generis); Alterations to shop front with timber cladding		
	Recommendation:	Approve with Conditions	Site Visit:	N

07	Township Forum - Ward: Radcliffe - East	App No. 64708
	Location: Land at side of 35 Greenbank Road, Radcliffe, Manchester, M26 4FR	
	Proposal: Erection of 1 no. dwelling	
	Recommendation: Approve with Conditions	Site Visit: N
08	Township Forum - Ward: Whitefield + Unsworth - Pilkington Park	App No. 64719
	Location: 79 Bury New Road, Whitefield, Manchester, M45 7EG	
	Proposal: Change of use from existing 6 bed HMO (Class C4) to 8 bed (8 person) house in multiple occupation (HMO) (Sui Generis)	
	Recommendation: Approve with Conditions	Site Visit: N

Ward: Ramsbottom + Tottington - Tottington

Item 01

Applicant: Mrs Oliviero

Location: Rayhome House, Walshaw Road, Bury, BL8 1PR

Proposal: Change of use of existing business and general industry use (Class B1 & B2) to mixed use leisure (Class D2), cafe (Class A3), partial retention of office use (Class B1) and pedestrian access and parking works.

Application Ref: 63857/Full

Target Date: 29/05/2019

Recommendation: Approve with Conditions

Description

The application site relates to an existing industrial brick building which is located in an area of a mix of uses and premises, comprising residential to the rear at Bolholt Terraces and opposite on the southern side of Walshaw Road and commercial and business on the application side of Walshaw Road.

To the west and separated from the site by a parking area is a nursery building which is set back from the main road in front of which is a row of commercial units. To the rear (north) adjacent to the site is a large hardstanding area which is used as a car park but is outside the application area. To the east is a 2 storey mill type building in a mixed use, which is separated from the site by an access road which leads to Bolholt Terrace and a row of residential terraced properties and some large detached houses beyond. Opposite the site are houses on Walshaw Road and a residential estate beyond.

The application building fronts but is set back from Walshaw Road by approximately 10m. The area at the front is currently grassed and landscaped and bounded by a stone wall and railings to Walshaw Road. A stepped access to the front leads to the main entrance.

The building has an unusual footprint shape and is split level comprising of 2 and 3 storeys. It is 2 storey at the front when viewed from Walshaw Road and 3 storey due to the drop in level. The building extends towards the rear on its western side and wraps back round to create a courtyard area which is used for parking. The building is currently vacant, and has a historical B1/B2 business and industrial use, most recently operating as a manufacturing unit within the lower ground floor with associated office and sales areas over the ground and first floors.

There are currently 6 parking spaces 4 of which are located within the courtyard area at the rear and 2 down the eastern side of the building.

The building is on the Council's Draft Local List of buildings of local importance.

The application seeks a change of use to a mixed use development comprising offices (B1), leisure (D2) and cafe (A3).

The proposed floor layout is as follows:

Lower ground floor - Leisure use comprising of 2 fitness studios (Class D2 - floor area of 107 sqm) with associated changing facilities, lobby and reception area.

A separate entrance would be created to provide access to these uses. Hours proposed are Monday to Saturday 8.30am to 8.30pm and Sunday/Bank Holidays 9am to 5pm.

Ground floor - Proposed retention of 2 offices (Class B1 - floor area of 127 sqm) and new

cafe (Class A3 - floor area of 63 sqm). Also indicated on the layout plan are storage, lobby and WC facilities.

Access to the ground floor uses would be from the front entrance and include re-configuration of the entrance to provide a canopied feature entrance and a ramp and stepped access. Opening hours for the cafe would be Monday to Friday 8.30am to 6.30pm, Saturdays 8.30am to 6pm and Sunday/Bank Holiday 9am to 4pm. The office use would be the same but close 2pm on a Saturday and no Sunday/Bank Holiday working.

First floor - Proposed retention of offices (B1 - floor area of 154 sqm). The offices would be accessed via the front entrance and a separate staircase up to this floor. Hours proposed are 8.30am to 6.30pm Monday to Friday and 8.30am to 2pm on Saturdays.

External elevations - The external appearance of the building would generally be retained as existing, with alterations comprising the formation of new windows openings and entrances and replacement of the frames to the existing windows. On the front, a new ramp and stepped access would be provided to a re-configured porched entrance.

Parking and access - The development proposes the re-configuration of the parking areas and an increase to the existing parking to provide a total of 24 available spaces for the combined uses.

Works are proposed to the front area of the site to provide a car park and 5 parking spaces including one disabled space. This would be accessed off Walshaw Road via the existing entrance to the nursery and through a newly created opening in the existing boundary railings leading into the car park.

It is proposed to provide 3 spaces in the area between the western boundary of the site and the nursery building, which is stated are within the applicant's right to use and within their gift to provide.

The courtyard which is located on the eastern side of the building and used as the current car park would provide 5 spaces.

There are 2 spaces adjacent to the eastern gable of the building which are in the applicant's ownership and historically used as parking for the site.

In addition there is informal parking to the side of the access road which extends alongside the Bolholt Hotel complex, for up to 9 spaces, and the applicant has secured the agreement of the use of these with the hotel owner.

To summarise, 15 parking spaces would be made available and are within the ownership or right to access of the applicant. With the 9 spaces along the access road, a total of 24 space could be provided.

Relevant Planning History

No recent history

Publicity

Letters sent on 3/4/2019 to properties on Bolholt Terrace, Walshaw Road, Chiltern Drive, Walshaw Road, Bolholt Industrial Park.

Press advert in the Bury Times Affecting a Public Right of Way - 11/4/2019
Site notice posted 5/5/2019.

Objections received from - 17 Bolholt Terrace (2 x letters), 3 Bolholt Villas (2 x letters), 1 Chiltern Drive, 9 Bolholt Terrace, Lavender Hotel Group (The Old Mill Hotel and leisure Group) raising the following issues:

- A change of use into several units will attract more vehicles where there is insufficient parking;

- Reduced access to my property, cause extra wear and tear to an already damaged side road;
- More congestion to Walshaw Road especially with Elton High school traffic already problematic;
- Noise pollution would severely increase at all hours of the day and evenings, with car doors slamming for example;
- Significantly increase pedestrian and vehicle traffic, noise, waste (litter) air pollution and create dangerous issues for existing residential and business;
- Policy HT2/4 would not be met - car parking layout means backing into oncoming right of way vehicles, pedestrians and school pupils;
- Access to Walshaw Road from existing residential and business accessing from Bolholt terrace will be dangerous and unacceptable based on proposals. front entrance is too close and will cause visibility issues;
- Roads at the rear of Bolholt Terrace are private and a Right of Way;
- Roads will be damaged by increased vehicle usage;
- Noise problems from the fitness room, function room - music, late night opening requires an impact assessment;
- Insufficient car parking for the uses and numbers of people using the building;
- What type of client are you attracting for the cafe? Will the opening and closing times Make life impossible for homeowners living opposite?
- There is already two retail outlets further down Walshaw road do we need another?
- I understand there's to be another gym when there is one in adjacent building and the Bolholt also on Walshaw road. Concern for more congestion and noise nuisance! The recently opened gym causes noise nuisance when they open their windows and loud music blares out!
- There are two bus stops one to the side of this property and one opposite, concern for traffic nuisance and congestion.
- Unable to drive through the mill yard to access my property
- Bolholt terrace is a private road and often blocked by delivery vehicles.

Revised scheme submitted and neighbours re-notified on 14/10/2019

Objections received from No 13 Bolholt Terrace, 3 Bolholt Villas raising the following issues:

- The potholes/uneven road surface leading to Bolholt Terrace due to the commercial activities and the constant use of the service road - what proposals are in hand to maintain the access?
- Parking - this is already congested - how will it be organised and managed?
- We do not agree with the parking assessment provided. 13 car parking spaces are shown within the demise of this proposal of which 3 spaces are restricted access/ double banked, meaning that cars get blocked in. There are 10 meaningful car spaces provided.
- The car parking assessment is flawed and has no valid basis. The proposal includes car parking spaces which are not within the demise of this development. These must be omitted from the assessment. During school start and drop off the surrounding streets in the vicinity are full of vehicles - there's a huge increase of traffic causing a risk to safety.
- Access to the development is unsafe along with associated poor air quality and noise.
- Times of operation for this proposal?
- Fitness/yoga will require vent/cooling?

Objection form Educare Day Nursery

- The dropped kerb entrance from Walshaw Road to our car park is only single car width and queuing on the main road occurs at peak time as cars enter and exit. And additional 5 spaces using the entrance will only compound the problem.
- To gain the entrance to the additional 5 Rayhome spaces on the existing front lawn area will mean losing 2 of the existing spaces on our car park which we object to, this wouldn't gain any additional spaces. The remaining spaces should be shown as E/S extra spaces as the are shared spaces the same as others shown at the side of the

fence on the other side of the building.

- The 9 E/S spaces shown are usually occupied by the other businesses nearest to these spaces.
- The new entrance to this area will be an extremely tight turn circle for cars and I do not think given the single car width access from the main road and the fact that cars will be parked in the other spaces adjacent to the railings at peak times, that it will be possible to turn in without reversing and manoeuvring several times.
- We feel the true car parking spaces figure available to Rayhome is still 12 spaces the same as on the first scheme, which we feel was better from a traffic safety and congestion point of view.

In response to this objection, the applicant has confirmed that they have a rights of access and use of the car parking spaces which are accessed from the day nursery adjacent to the railings to the Rayhome premises (annotated as spaces 11, 12 and 13 on the proposed site plan). Signage is attached to the railings confirm the use of these spaces for Rayhome and there is a gate in the railings to allow for pedestrian access through which has been a longstanding arrangement.

As set out in the Planning Statement, one of these existing spaces would be lost to allow vehicular access to be created to the front area of the building but this would enable an additional 5 spaces to be provided which would improve the parking provision. It is stated that no spaces in the ownership or right of use by the nursery will be lost as a result of the proposed development.

Those who have expressed an interest have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Environmental Health - Pollution Control - No objection subject to submission of a ventilation/extraction scheme

Environmental Health - Commercial Section - No comments received.

Public Rights of Way Officer - No response received.

Waste Management - No comments received.

Pre-start Conditions - None relevant

Unitary Development Plan and Policies

NPPG	National Planning Policy Guide
EC2/2	Employment Land and Premises
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/11	Public Utility Infrastructure
EN1/3	Landscaping Provision
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless

there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Policies

EC2/2 - Employment land and Premises Outside the Employment Generating Areas seeks to retain existing employment land and premises except where it can be demonstrated that an existing employment site is no longer suited in land use terms to continued employment uses. In such circumstances, consideration will be given to alternative development provided it would not conflict with the character of surrounding areas and other policies/proposals of the Plan.

EC6/1 - Assessing New Business, Industrial and Commercial Development expects high standards of design and appearance and to take account of the surrounding area. Factors to be considered include:

- scale, size, density, layout, height and materials;
- access and parking provision;
- landscaping and boundary treatments;
- the effect on neighbouring properties;
- the safety of employees, visitors and adjacent occupiers.

H3/1 - Assessing Non-Conforming Uses will not permit proposals which are considered to be incompatible in primarily residential areas. Factors which will be taken into account will include noise, vibration, smell, visual intrusion, traffic generation and parking arrangements and hours of operation.

H3/2 - Existing Incompatible Uses - Where such uses operate within residential areas, the Council will seek to ensure existing conflicts are resolved where possible and where opportunities arise, and encourage measures to:

- control future land uses so as to minimise or remove conflicts;
- control the intensification or expansion of non-conforming uses where possible;
- control the operation of adjacent uses where possible in order to minimise areas of conflict and potential nuisance;
- introduce environmental improvements or traffic management schemes where appropriate.

HT2/4 - Car Parking and New Development requires applications to make adequate provision for their car parking and servicing requirements in accordance with parking standards.

HT6/2 - Pedestrian Vehicular Conflict - Seeks to reduce pedestrian/vehicular Conflict to create a safer and accessible environment.

Heritage - The building is on the Council's Draft Local Listed and as such the following policies apply:

At Paragraph 189 of the NPPF, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale and any harm or loss and the significance of the heritage asset.

Policy principles

Given that the site is currently in employment use and that the proposal would primarily

involve the loss of this use, the acceptability of the principle of the proposed change of use needs to be considered against UDP Policy EC2/2 and its accompanying SPD 14.

Under Policy EC2/2, the Council will seek to retain the employment use of such sites unless it can be clearly demonstrated that the land and premises are no longer suited, in land use terms, to continued employment use.

In support of UDP Policy EC2/2, the Council has also developed SPD14 which seeks to retain sites that are suitable in land use terms although it does allow for a greater degree of flexibility than Policy EC2/2 insofar as it gives consideration to viability issues as well as assessing the suitability of the site from a purely land use perspective.

The Council has undertaken a comprehensive assessment of all employment sites within the Borough and the application site is considered to be suitable in land use terms for continued employment use.

Paragraph 120 of the NPPF states that planning policies and decisions need to reflect changes in the demand for land and where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan, they should reallocate the site as part of a plan update or, in the interim, support applications for alternative uses where the proposed use would contribute to meeting an unmet need for development in the area.

SPD14 requires an applicant to demonstrate that there is no reasonable prospect of a site being reused for employment purposes. Whilst this site is not a specific allocation, the approach set out in SPD14 is considered to be consistent with paragraph 120 of the NPPF.

Applicant's case

The building has a historical industrial use. However, the premises have been vacated, the previous tenant locating elsewhere to premises better suiting their manufacturing needs and functions as an industrial business.

The building is unusual in its form, comprising split level storeys, irregular floor layouts and restricted access. The lower ground floor is small for a manufacturing use and the quality of the accommodation is poor with uneven floor slabs which are unsuitable for heavy machinery. The floor to ceiling height is also limited in parts, down to 2m in areas, and supporting columns within the floor area make the use of the space for manufacturing and industrial purposes extremely difficult, and particularly for modern and advanced technological processes.

Externally, space is limited for deliveries and servicing requirements and for the loading and unloading of commercial vehicles generated by a general industrial use. At the rear, the service entrance would be accessed by a slope with little space for the turning of larger vehicles such as trucks and HGV's. This would also be an issue for any future tenant of a manufacturing/industrial operation.

The applicant has submitted marketing information which demonstrates that the site has been unsuccessfully marketed for 6 months. This suggests that there is no reasonable short term prospect of the site being re-used solely for employment purposes. Furthermore the applicant is now proposing to retain significantly more employment floorspace than originally stated. This floorspace is to be refurbished and upgraded.

The building has remained vacant for almost 12 months and there has been no active interest shown by any potential occupiers for a manufacturing/industrial use.

The development therefore proposes a mixed use facility, comprising of leisure (D2), a cafe (A3) and offices (B1)

It is also acknowledged that as a B1 and B2 use, the premises could lawfully, and without the need for planning permission, operate as more intensive office use or any other such

business types within these use classes, including a call centre, which would put significantly more demands on parking and increase activity and associated noise and disturbance, for example, at the site.

Principle of the proposed uses

The application proposes a mix use development. However, a sizeable amount of B1 office use would be retained in the building on the ground floor and first floor, occupying 281 sqm out of a total of the useable floor space of 451 sqm which would support Policy EC2/2. The existing offices would be refurbished and re-configured and as such would provide qualitative improvements and on balance would overcome the loss in the quantity of employment floorspace.

As such this element of the development would support Policy EN2/2 for the retention of employment land and as such would be acceptable

The proposed leisure use would be located at the lower ground floor area, comprising 107 sqm of floor area with the cafe located on the ground floor accommodating 63 sqm which would be less than half the floor area. Both these uses would be open to the public.

This particular area of Walshaw is characterised by a mix of industrial, commercial and leisure businesses, with a significant number of residential properties located close by especially to the south of the site. Given the floor areas proposed for these uses, these elements of the development would be relatively small in scale and it is expected that the leisure studios and cafe would serve the needs of the local community and those working nearby.

These uses would also generate less traffic, especially of a heavy vehicle type, and cause less disruption, noise and pollution comparative to that of a manufacturing and industrial use.

In summary:

- The building is vacant and unlikely to attract a new tenant for a business and general industrial use due to the limitations of the building and existing external site area. This is demonstrated by the lack of any interest shown by prospective tenants.
- The applicant is proposing to retain significantly more employment floorspace. This floorspace is to be refurbished and upgraded and would result in qualitative improvements.
- A change of use to the proposed facilities would bring the building back into a use, providing facilities and services for the local area, whilst maintaining a strong element of employment use.
- The proposed uses would be complimentary to the area, including childcare to support the other businesses in the area.
- Accessibility to the building would be significantly upgraded and improved.
- Parking provision would be improved.
- The development would generate less traffic and significantly reduce the number of commercial vehicles, particularly heavy goods vehicles to the site which would improve highway and pedestrian safety.

It is therefore considered that given the main use of the premises would continue to operate as an employment generating use, the mixed use scheme would not detract from the commercial and business character of the area, but would also serve the local population offering new services and facilities to meet local needs and provide a diversity of services which would therefore support the viability of the building.

In principle, it is therefore considered that the proposed development would comply with UDP Policies EC2/2, EC6/1, EN1/2 and CF1/1.

Layout - The building has an unusual form and shape and together with its split level arrangement, redevelopment of the site poses challenges when considering current requirements and standards for access, parking and internal arrangements.

The main change would be to the parking layout. At the front of the site, the grassed area would be removed and re laid in a hard surfacing to provide a car park for 5 cars which would be accessed via the existing opening to the west of the site off Walshaw Road through a gap created in the railings which currently forms the western boundary of the site. Three additional spaces for the site would be formally laid out to the west of the building in the area which is shared with the adjacent businesses.

There would also be space at the front of the building to provide a new ramp which would lead directly to the main entrance to facilitate access into the building. To the east of the building, it is proposed to retain the 5 parking spaces which are located in the courtyard area with 2 spaces directly adjacent to the eastern gable of the building. The access road which runs along the eastern side of the site has the potential to provide parking for an additional 9 cars, which the applicant has clarified is secured by agreement with the landowner.

There would also be a separate access provided in the eastern elevation which would facilitate a separate entrance to the lower ground floor and the health/fitness studio which is proposed for this floor. Other internal alterations would separate out parts of the building which are proposed for the mixed use development.

It is considered that the proposed changes to the layout would be achievable and would improve on the facilities which would be expected to be provided to meet the operational needs of a business today.

It is therefore considered that the proposed layout would minimise highway and pedestrian safety impacts on the adjacent roads as well as bettering the situation for the adjacent occupiers by the formalisation of the parking and access, comparative to the current arrangements. As such the development would comply with UDP Policies EC6/1, EN1/2, HT2/4 and HT6/2.

Impact on residential amenity - The nearest residential properties are those on Bolholt Terrace to the north of the site 50m away, which use the same access off Walshaw Road and the houses opposite to the south which form a large residential estate.

In terms of the uses, the leisure use is proposed to the lower ground floor and would be accommodated in 2 separate studios. The topography of the site is such that these uses would essentially be at basement level, with access from the east elevation which is partly enclosed by the rear elevation of the building. Window openings would be small in this elevation. The property facing this elevation is a large industrial/commercial premises and the houses on Bolholt Terrace are more than 50m away. It is therefore considered there would be a significant separation distance and amenity would not be affected by this use.

The cafe and offices, located at the ground and first floors would not in themselves, generate significant amounts of noise and disturbance which would cause harm to residential amenity.

In considering the existing use to the building as an industrial and manufacturing operation, and which could be brought back into use without the need for permission, this could generate far more noise and disturbance to the area along with possible odour, noise and dust nuisance than any of the proposed uses.

It is therefore considered that the proposed uses would be acceptable and comply with UDP Policies EC6/1, EN1/2 and EN7/2.

In terms of impact of traffic generation, the development proposes to stagger the uses throughout the day, and whilst there would be some 'peak' times when all 3 uses would operate, the scale of the development would be such that significant amounts of traffic

would not be generated at one time, and especially if compared to the comings and goings of traffic and vehicles types which could be carried out as part of an industrial operation.

Access into the site off Walshaw Road to the east would remain unchanged and by formalising the parking along the access to Bolholt Terrace, there would likely be less obstruction caused from vehicles using the site, and lesser so than large HGV type vehicles which could access the site from this area.

The provision of the new car park at the front of the building would also minimise vehicular conflicts and as it would be contained within the site area, there would not be an impact from cars parking on the highway.

It is therefore considered that the access and parking would not have a significant or adverse impact on residential amenity and would comply with UDP Policies EC6/1, EN1/2, HT2/4, HT6/2 and SPD11.

Visual amenity - The building is a solid brick build with symmetrical and uniformly positioned windows and a stepped access to the front entrance. It is understood that repair works have been carried out to the roof and it is proposed to replace the existing windows with new frames which would update the appearance of the building and help to secure its longevity and continued use for the future.

The appearance of the building would essentially be retained in its current form, with minor repair works and modifications made to introduce some openings and doorways on the east elevation to enable access into the designated uses.

The main alterations would be carried out to the front where it is proposed to re-configure the entrance and provide a ramped and stepped access which would lead to a new covered entrance and accessible doorway. Where the existing building is poor in facilitating ambulant and disabled access, the proposed development would ensure that accessibility into the building, including from the east, would be made available for all users.

The area to the front of the building would also need to be remodelled to provide the parking which is proposed to this part of the site which would require the removal of the lawn and its replacement with a hard surfacing. It is however, proposed to retain the stone boundary which runs across the frontage of the site and which would continue to provide an attractive view of the building from the street scene. This proposed arrangement would not be dissimilar to other commercial business and premises, of which there are other examples on Walshaw Road.

It is therefore considered that the proposed development would improve the visual appearance and condition of the building and its environment and facilitate re-use of the vacant building and as such would comply with UDP Policies EC6/1 and EN1/2.

Highways

Parking

The applicant has submitted a parking assessment based on the LPA's Parking Standards in SPD11.

There is a total of 11 parking spaces available for the existing industrial use. The proposed development would provide 15 spaces with provision for use of an additional 9 spaces.

In assessment of the existing industrial use, there is an overall shortfall of 7 parking spaces based on maximum standards in SPD11 if the same type of development were to be provided today.

In comparison, the applicant has also carried out an assessment for each of the proposed uses - health/leisure, cafe and offices - and at the times they would be operational. It has been concluded that there would be peak and off peak periods where demand for parking would be staggered according to the use and the proposed opening times.

In summary, peak demand for parking would be in the first part of the day, when all 3 uses would be operational, reducing through to the afternoon when the cafe would less likely be visited, with least demand in the evening where only the leisure use would operate. It has been concluded that for each use and at the times the building would be occupied and used, there would be a surplus of parking spaces which are proposed to be provided. In some instances there would be more than 8 free spaces during the daytime and up to 19 free spaces in the evening.

As such, there would be a planning gain in parking for the site.

The proposed development would also significantly reduce the number of commercial vehicles and heavy goods vehicles which are associated with industrial and manufacturing units, thereby reducing access and pedestrian/vehicular conflicts which could arise from such traffic visiting the site.

As such, the proposed development would comply with UDP Policies HT2/4 and SPD11 in providing satisfactorily levels of parking to support the scale and type of development proposed and as such considered to be acceptable.

Access

The current access arrangements are not ideal, in that access to the parking and its arrangement in the courtyard is somewhat haphazard. As an industrial and manufacturing use, the business could also generate significant amounts of commercial traffic from deliveries and the picking up of goods. The proposed development would more or less negate any HGV traffic needed for the uses and as such the impact on highway safety would be bettered.

The only new access would be that which is proposed to the newly created car park at the front. Entry to this area would be off Walshaw Road to the west which is shared with the adjacent businesses. Part of the railings which form the side boundary at the front of the site would be removed and this would enable a car to safely enter the area.

In addition, the scheme would deliver the added benefit by remodelling the entrance to provide a ramped access to facilitate all users and occupiers to the building and this is to be welcomed.

The Highway's Section are satisfied that the development could safely deliver the proposed access arrangements without detriment to highway safety or the safety of other occupiers and road users.

It is therefore considered that the parking provisions would be suitably accommodated for all the uses, bettering the current provisions on site which are sub-standard by today's standards. Access to the site would provide safe arrangements. As such, it is considered there would not be an adverse impact to highway safety and the development would comply with EC6/1, HT2/4, HT5/1 and HT6/2.

Heritage - The building is on the Council's Draft Local List as a Non-Designated Heritage Asset (NDHA). It is known as 'Bolholt Print Works', circa mid 19th Century, and some parts show early stone/brick as part of the industrial complex.

Paras 189 and 197 of the NPPF direct an applicant to consider the importance of a NDHA and to assess its significance including any contribution made by their setting. This not only relates to the architectural and visual features and character of the physical building, but also the importance of its historical past uses and those who occupied the building.

As part of the Planning Statement, the applicant has acknowledged the building as a NDHA and has provided an analysis of the works and potential impacts on the NDHA.

The building does not have any particular architectural or historical features of particular

importance and the facade of the building is fairly unexceptional. The significance and importance of the building more likely lies in its history as an industrial premises and use.

The major external works would comprise the re-configuration of the front entrance, the disabled access ramp and the alterations to the front area for parking. The existing entrance and porch did not form part of the original building, being added to at a later date. The proposed entrance would introduce a glazed feature to the frontage which would be more lightweight in appearance and would be a clear indication that this would be a modern addition.

In consideration of the ramp, this would significantly improve the access into the building. It could be removed in the future and therefore considered that the benefit of its provision would outweigh any visual harm caused.

Located at the front of the building, the car park would have some impact on the visual attractiveness of the frontage of the site and the building. However, it would be required to facilitate the building brought back into a use, bringing about benefits for the area whilst enabling the continued preservation of the building itself.

The other alterations comprise new openings on the east elevation for windows and doors. Whilst there would be some intrusions to the fabric of the building, they would be relatively minor to the facade. Again, this would benefit the building in enabling its re-use.

The stone wall and railings are an attractive feature to the front of the site and these would be retained.

It is considered that any potential harm which would be caused to the heritage building would be outweighed by the benefits of its re-use and re-occupation to secure its stability and continued historic contribution to the area and as such would be acceptable and comply with the principles of the NPPF.

United Utilities - A pipe/sewer crosses under part of the site at the rear, identified as the parking area. Whilst there is no new build proposed and it appears that there would not be any intrusive ground works in the area of the car park, an advisory note would be included for the applicant to contact United Utilities.

Response to objectors -

- In terms of the objection to access rights raised by the day nursery, the applicant has clarified their right's of access to and use of the area in front of the nursery and next to the Rayhome premises.
- Contrary to the objection from the nursery, the existing access off Walshaw Road is approx 5m wide and therefore considered to be acceptable for the scale of development proposed.
- All other objections raised have been covered in the above report.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during 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 drawings -
Proposed site plan 19/1214/200C
Proposed lower ground floor 19/1214/201C
Proposed ground floor plan 19/1214/202C
Proposed first floor plan 19/1214/203A
Proposed elevations 19/1214/204C
Appendix 2 - Parking Assessment - of the Planning Statement ref 19/1214/300B - DandA - dated 19th February 2019 (amended 5th September 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. The car & cycle parking and turning facilities indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the uses hereby approved commencing and thereafter maintained available for use at all times.
Reason. To ensure adequate car parking provision and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policies EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
4. Prior to the occupation of the development hereby approved, details of the bin storage facilities for each of the approved uses shall be submitted to and approved by the Local planning Authority. The approved details only shall be implemented prior to first occupation and thereafter maintained.
Reason. To ensure adequate bin storage facilities are provided for all occupiers of the building in the interests of highway safety and visual amenity pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT2/4 - Car parking and New Development.
5. The access ramp to the front of the building shall be provided and made available for use prior to occupation and first use of the development hereby approved.
Reason. To ensure the building is accessible for all and pursuant to Bury Unitary Development Plan EC6/1 - Assessing New Business, Industrial and Commercial Development and Policy HT5/1 - Access for Those with Special Needs.
6. The uses hereby approved for the development hereby approved shall only be open/operate at the following times:
Leisure (Class D2) - Monday to Saturday 08.30 to 20.30 and Sunday 09.00 to 17.00
Cafe (Class A3) - Monday to Friday 08.30 to 18.30, Saturday 08.30 to 18.00 and Sunday 09.00 to 16.00
Office (Class B1a) - Monday to Friday 08.30 to 18.30, Saturday 08.30 to 14.00
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation and commercial premises pursuant to Policies EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design and S2/6 – Food and Drink of the Bury Unitary Development Plan.
7. Should the cafe (Class A3 use) approved as part of the development hereby approved require the installation and/or erection of any external extraction/ventilation/flue system, a scheme for treating, diluting and dispersing fumes and odours shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation and commencement of the use.

The scheme shall include:

a written statement from a suitably qualified person which demonstrates compliance with the measures proposed in the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if applicable such superseding guidance as shall prevail at the time of commencement of the development); and

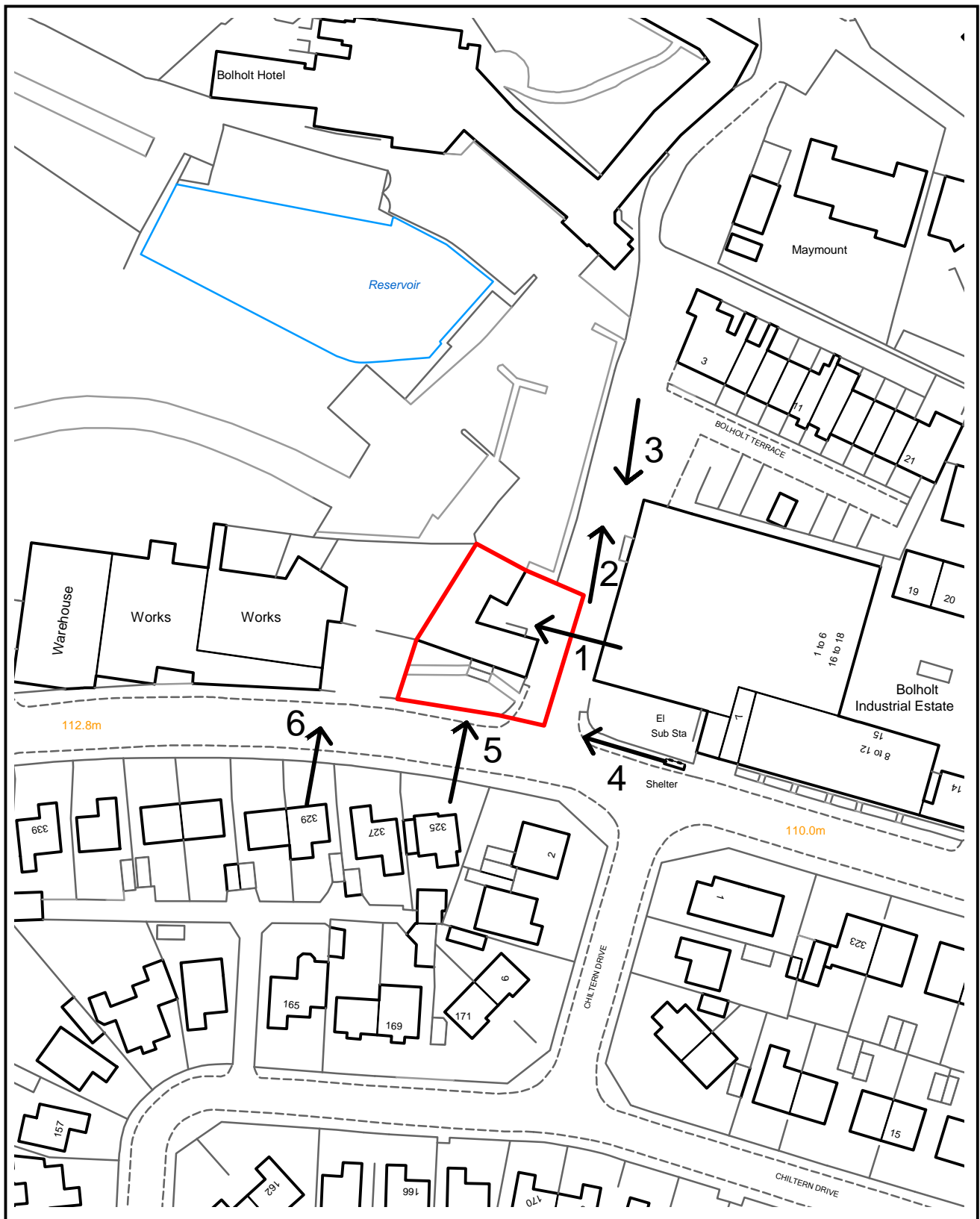
the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements .

The scheme as approved shall be implemented, available for use and maintained in accordance with the approved scheme whilst it shall serve the development prior to the first use and occupation of the cafe hereby approved.

Reason. To demonstrate that the required scheme would maintain the amenities of nearby occupiers from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63857

**ADDRESS: Rayhome House, Walshaw Road
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

63857

Photo 1



Photo 2



63857

Photo 3



Photo 4



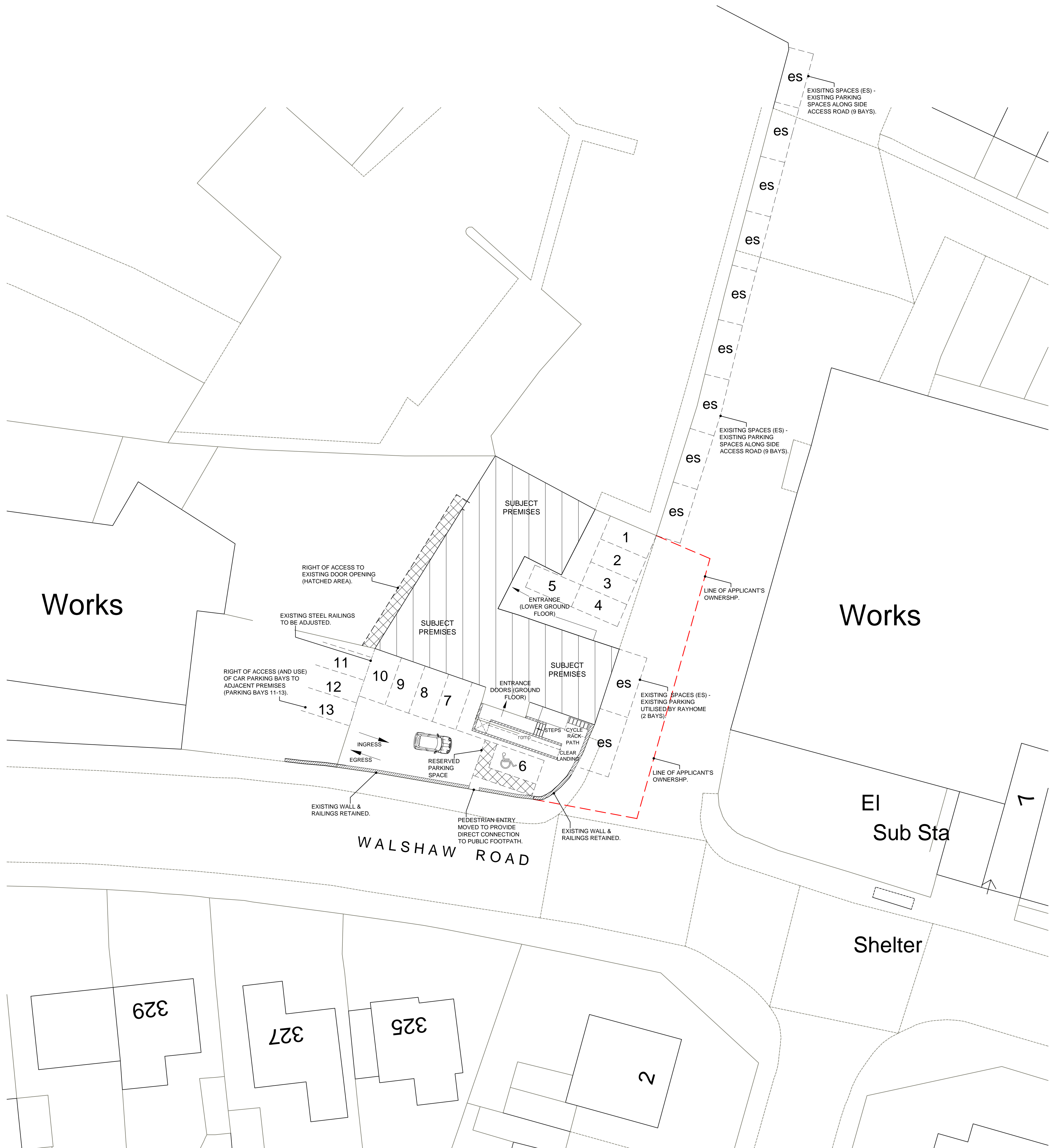
63857

Photo 5

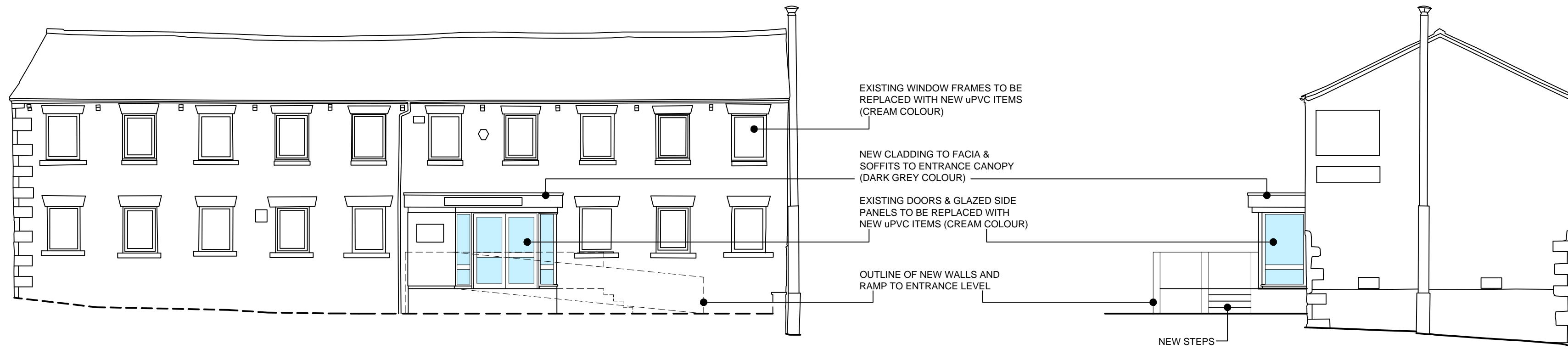


Photo 6



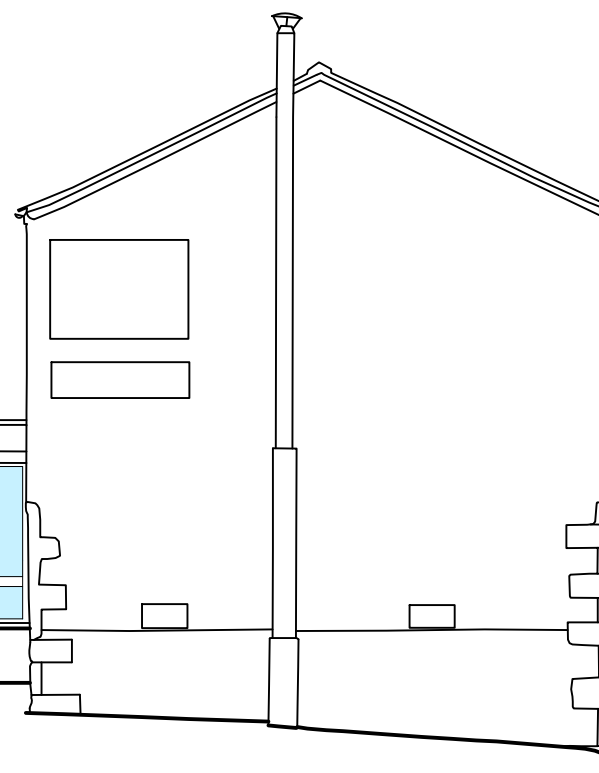


A 17.05.19	JPE	PROPOSED SITE PLAN AMENDED TO SHOW USE OF PARKING AREA TO ADJACENT PREMISES (BAYS 12-15), VISIBILITY SPLAYS SHOWN TO PLAN, AMENDMENT TO PARKING BAY AND ACCESS RAMP ARRANGEMENT, INCLUSION OF A RESERVED PARKING SPACE. PARKING BAYS RENUMBERED.	
B 05.08.19	JPE	AMENDMENT TO REMOVE NEW ACCESS TO FRONTAGE, AMENDMENT TO NEW PARKING PROVISION TO FRONTAGE, PARKING BAYS RENUMBERED, PARKING BAYS SHOWN TO SIDE ACCESS.	
C 23.10.19	JPE	PEDESTRIAN ENTRY MOVED AWAY FROM SIDE ACCESS TO FRONTAGE WITH DIRECT ENTRY TO PUBLIC FOOTPATH.	
Amendments			
Title CHANGE OF USE OF EXISTING BUSINESS AND GENERAL INDUSTRY USE (B1 & B2) TO MIXED USE LEISURE (D2) AND CAFE (A3) WITH AREA OF RETAINED OFFICES (B1), AT RAYHOME BUILDING, WALSHAW ROAD, WALSHAW, BURY-			
Client MRS OLIVIERO			
Dwg. No. 19/1214/200C - PROPOSED SITE PLAN			
Date 21.06.2019	Plot Scale A1 @ 1:200	Drawn by JPE	Status PRE-APP
JPE CONSULTANCY LIMITED ARCHITECTURAL DESIGN & PLANNING 9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF Telephone 07875 627 988 jim@jpeconsultancy.co.uk			



Datum 109m
E1

ELEVATION REF; E1
PROPOSED FRONT/SOUTH ELEVATION (1:100)



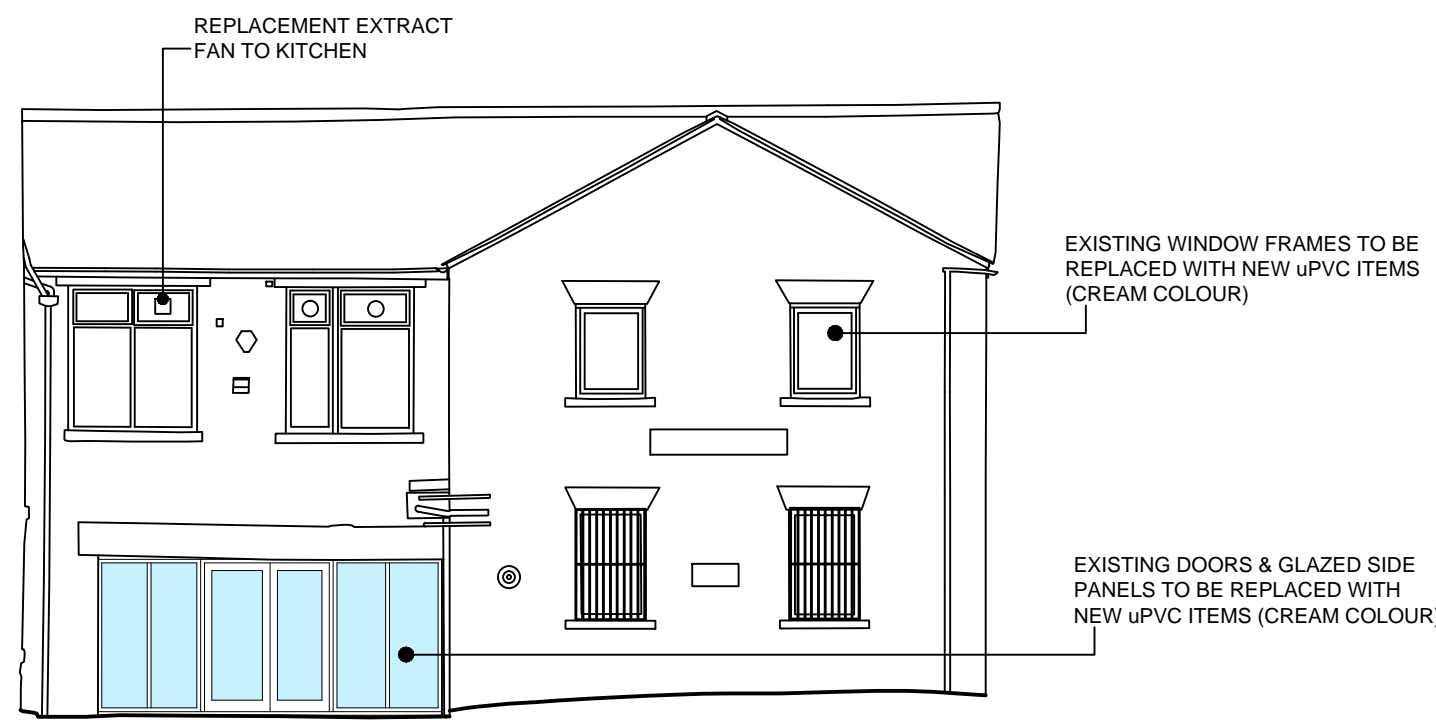
Datum 108m
E2

ELEVATION REF; E2
PROPOSED SIDE/EAST ELEVATION (1:100)



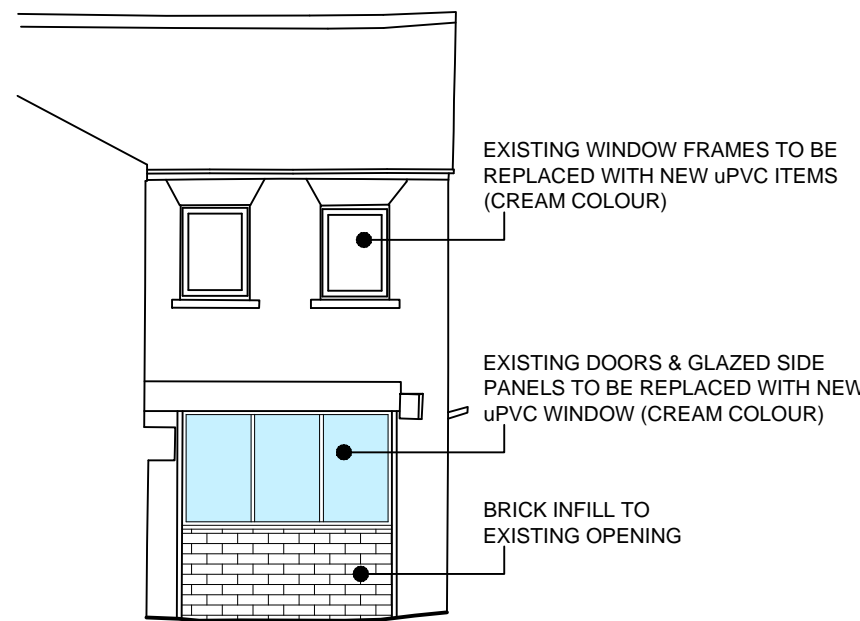
Datum 108m
E3

ELEVATION REF; E3
PROPOSED REAR/NORTH ELEVATION (1:100)



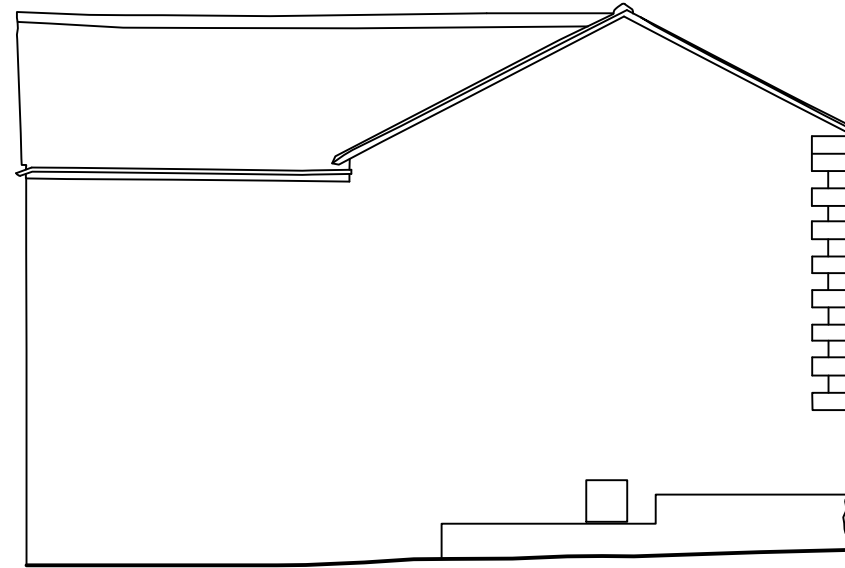
Datum 108m
E4

ELEVATION REF; E4
PROPOSED SIDE/EAST ELEVATION
(REAR PROJECTION) - (1:100)



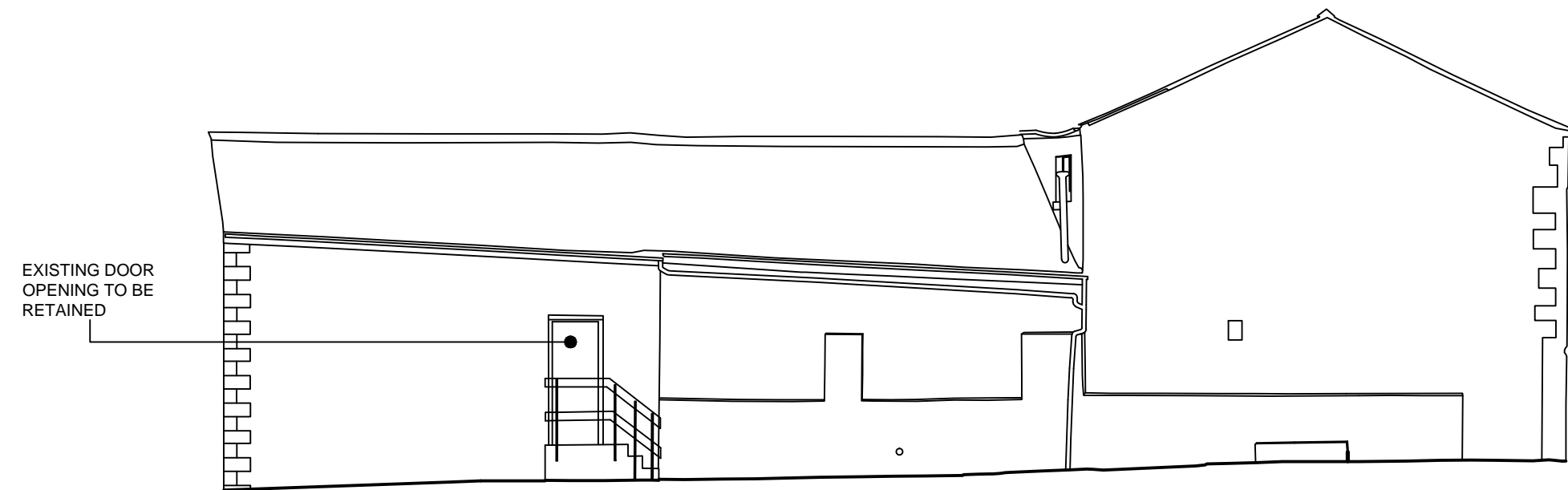
Datum 107m
E5

ELEVATION REF; E5
PROPOSED FRONT/SOUTH
ELEVATION (REAR PROJECTION) - (1:100)



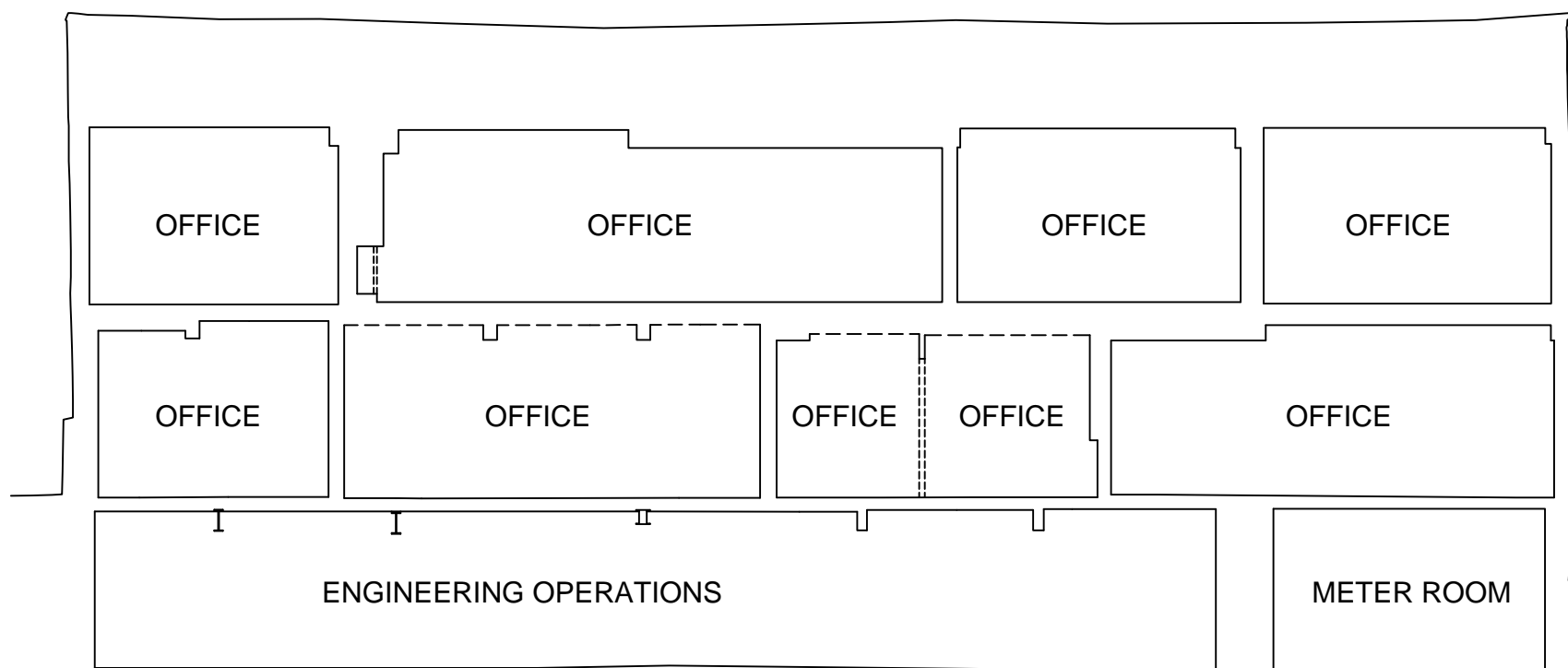
Datum 108m
E6

ELEVATION REF; E6
PROPOSED REAR/NORTH ELEVATION
(REAR PROJECTION) - (1:100)



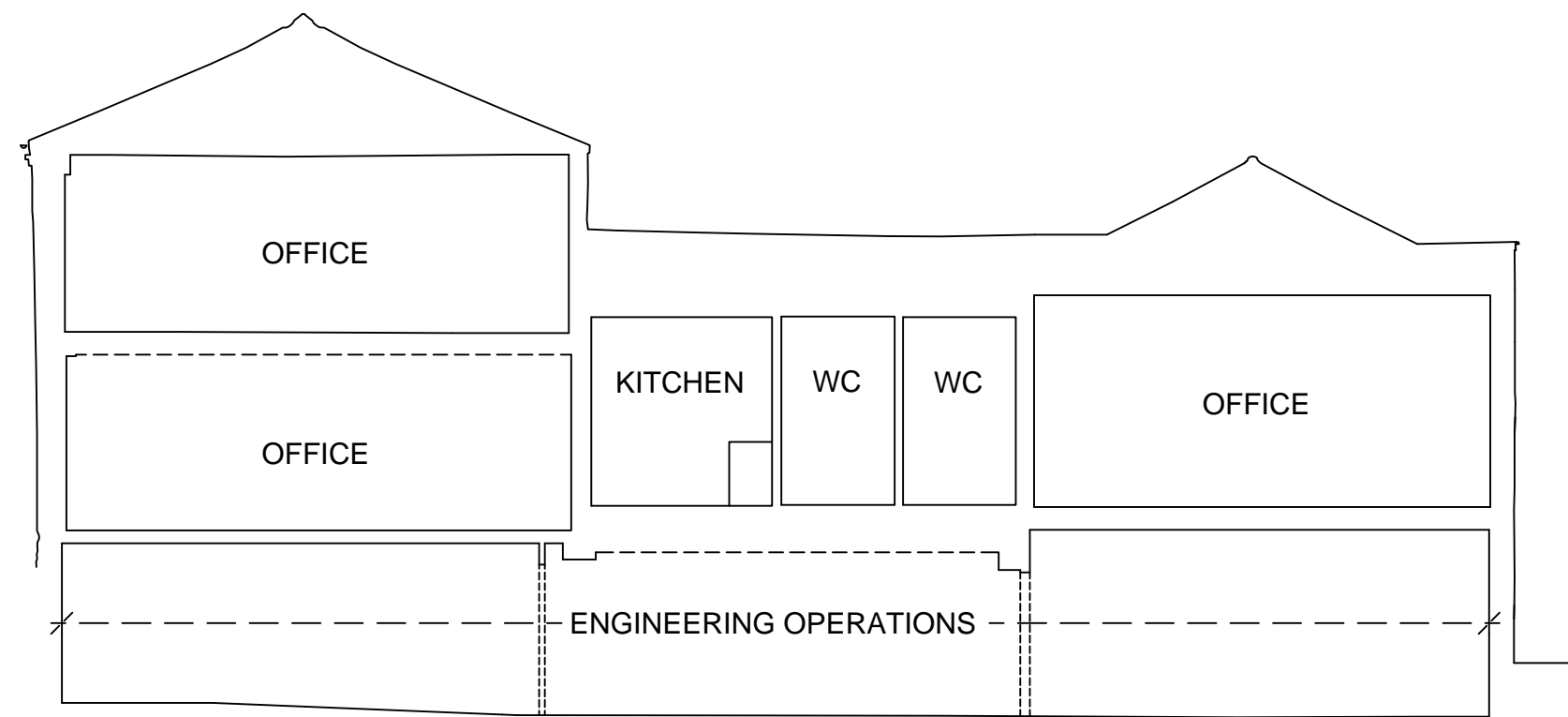
Datum 109m
E7

ELEVATION REF; E7
PROPOSED SIDE/WEST ELEVATION (1:100)



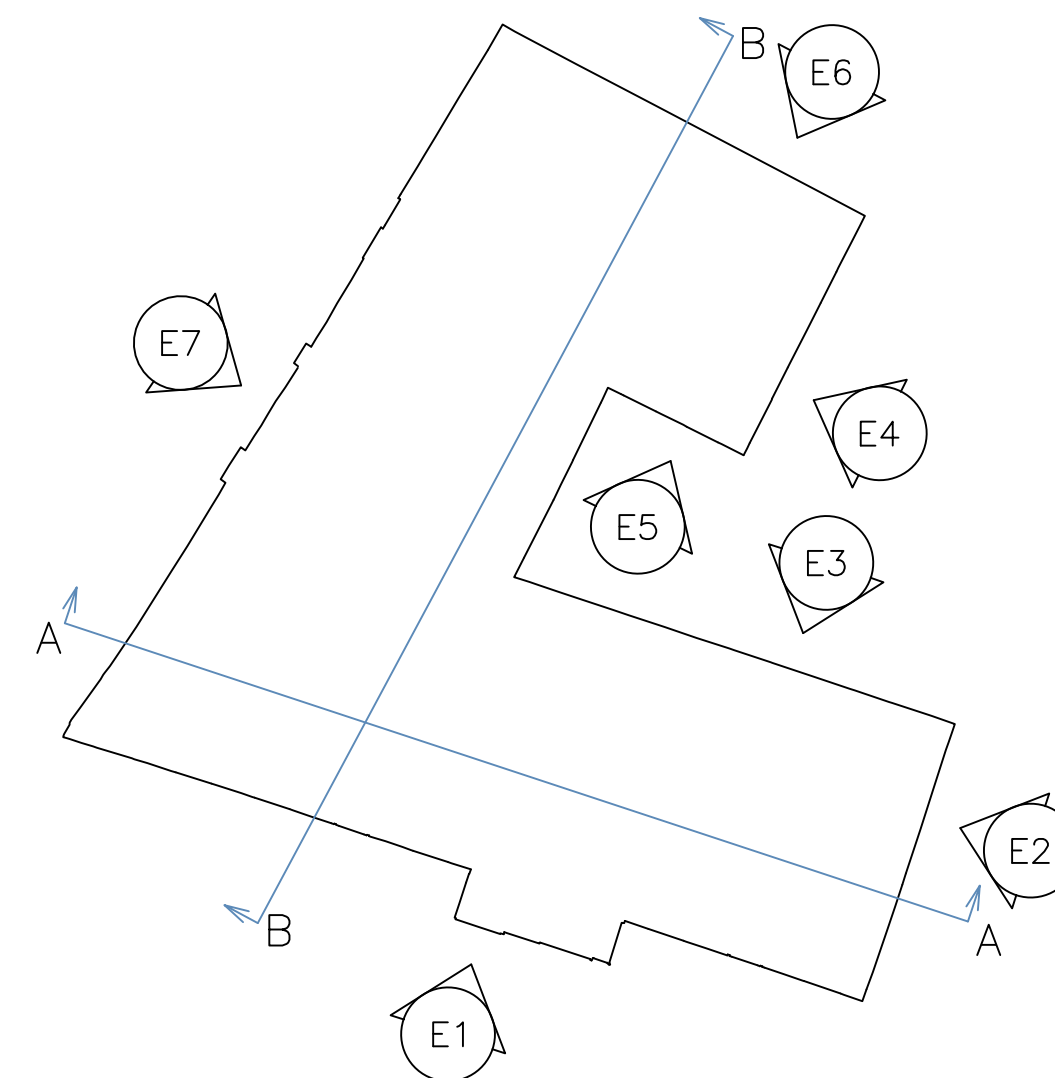
Datum 108m
Section A-A'

PROPOSED SECTION A-A' (1:100)



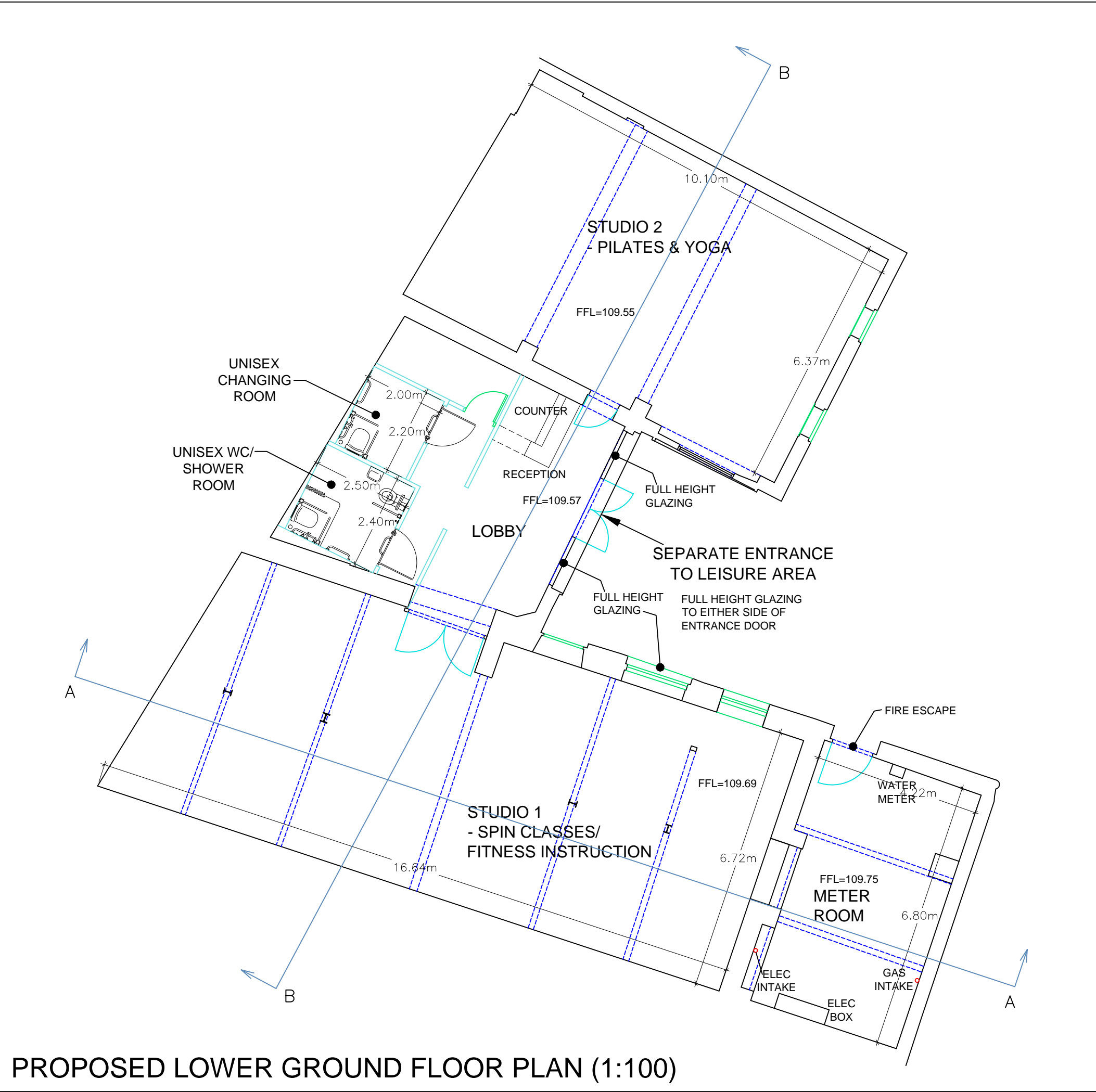
Datum 108m
Section B-B'

PROPOSED SECTION B-B' (1:100)



ELEVATION REFERENCE PLAN (1:200)

A 02.04.19	JPE	PROVISION OF REPLACEMENT EXTRACT FAN TO KITCHEN CONFIRMED (ELEVATION REF; E4).
B 24.06.19	JPE	NOTE ADDED TO CONFIRM EXISTING EXTERNAL DOOR TO SIDE/WEST ELEVATION.
C 23.10.19	JPE	OUTLINE OF WALLS & STEPS TO NEW RAMPED ACCESS UPDATED TO DETAILS SHOWN TO SITE PLAN.
Amendments		
Title CHANGE OF USE OF EXISTING BUSINESS AND GENERAL INDUSTRY USE (B1 & B2) TO MIXED USE LEISURE (D2), CAFE (A3), AND AREA OF RETAINED OFFICES (B1) AT RAYHOME BUILDING, WALSHAW ROAD, WALSHAW, BURY~		
Client MRS OLIVIERO		
Dwg. No. 19/1214/204C - PROPOSED ELEVATIONS		
Date 11.02.2019	Plot Scale A1 @ 1:100	Drawn by JPE
Status ISSUE		
JPE CONSULTANCY LIMITED ARCHITECTURAL DESIGN & PLANNING 9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF Telephone 07875 627 988 jim@jpeconsultancy.co.uk		



PROPOSED LOWER GROUND FLOOR PLAN (1:100)

TENANCY REF; LGF 01
(253m² GROSS INTERNAL AREA)

PROPOSED LOWER GROUND
FLOOR TENANCY AREA (1:250)

A	02.04.19	JPE	USE OF STUDIO 1, 2 AND 3 CONFIRMED.
B	24.06.19	JPE	STUDIO 3 REMOVED FROM PLAN AND METER ROOM RETAINED AS EXISTING.
C	23.10.19	JPE	TOILET FACILITIES UPDATED TO TENANCY PLAN TO MATCH PROPOSED FLOOR PLAN.

Amendments

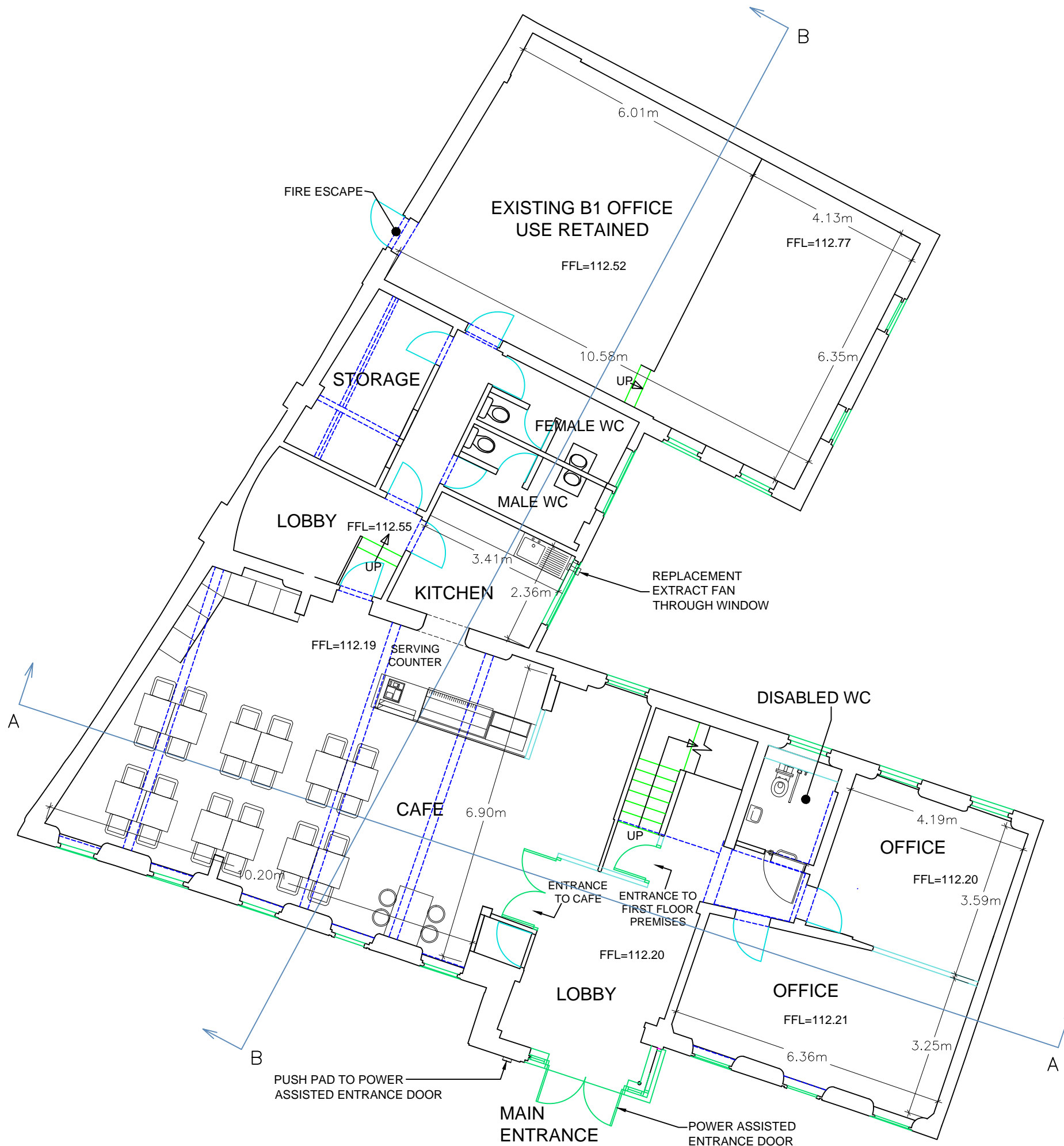
Title CHANGE OF USE OF EXISTING BUSINESS AND GENERAL INDUSTRY
USE (B1 & B2) TO MIXED USE LEISURE (D2), CAFE (A3), AND AREA
OF RETAINED OFFICES (B1) AT RAYHOME BUILDING, WALSHAW
ROAD, WALSHAW, BURY~

Client
MRS OLIVIERO

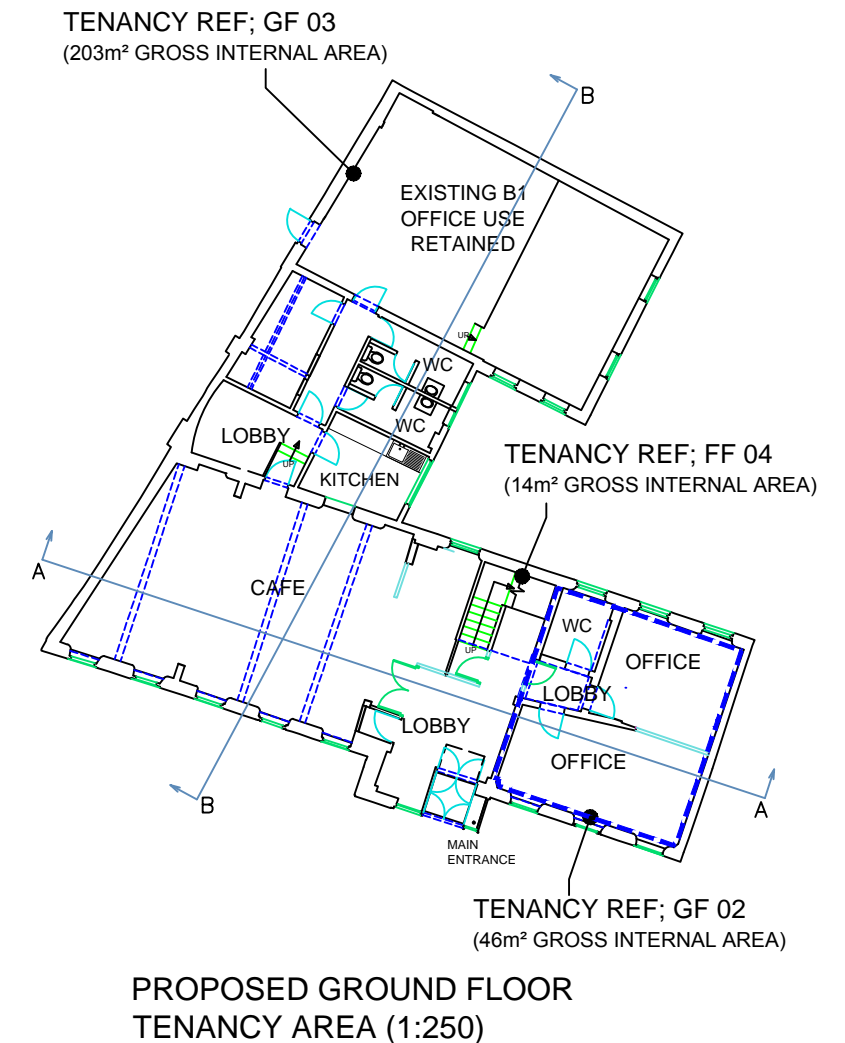
Dwg. No.
19/1214/201C - PROPOSED LOWER GROUND FLOOR PLAN

Date 11.02.2019	Plot Scale A3@1:100	Drawn by JPE	Status ISSUE
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Telephone 07875 627 988 jim@jpeconsultancy.co.uk



PROPOSED GROUND FLOOR PLAN (1:100)



A	02.04.19	JPE	PROVISION OF REPLACEMENT EXTRACT FAN TO KITCHEN CONFIRMED.
B	24.06.19	JPE	PROPOSAL FOR SALES AREA (A1 USE CLASS) REMOVED FROM CAFE AREA, PROPOSAL FOR FUNCTION ROOM REMOVED AND REAR ROOM RETAINED AS B1 OFFICE USE.
C	23.10.19	JPE	TOILET FACILITIES UPDATED TO TENANCY PLAN TO MATCH PROPOSED FLOOR PLAN.

Amendments

Title	CHANGE OF USE OF EXISTING BUSINESS AND GENERAL INDUSTRY USE (B1 & B2) TO MIXED USE LEISURE (D2), CAFE (A3), AND AREA OF RETAINED OFFICES (B1) AT RAYHOME BUILDING, WALSHAW ROAD, WALSHAW, BURY~
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Client

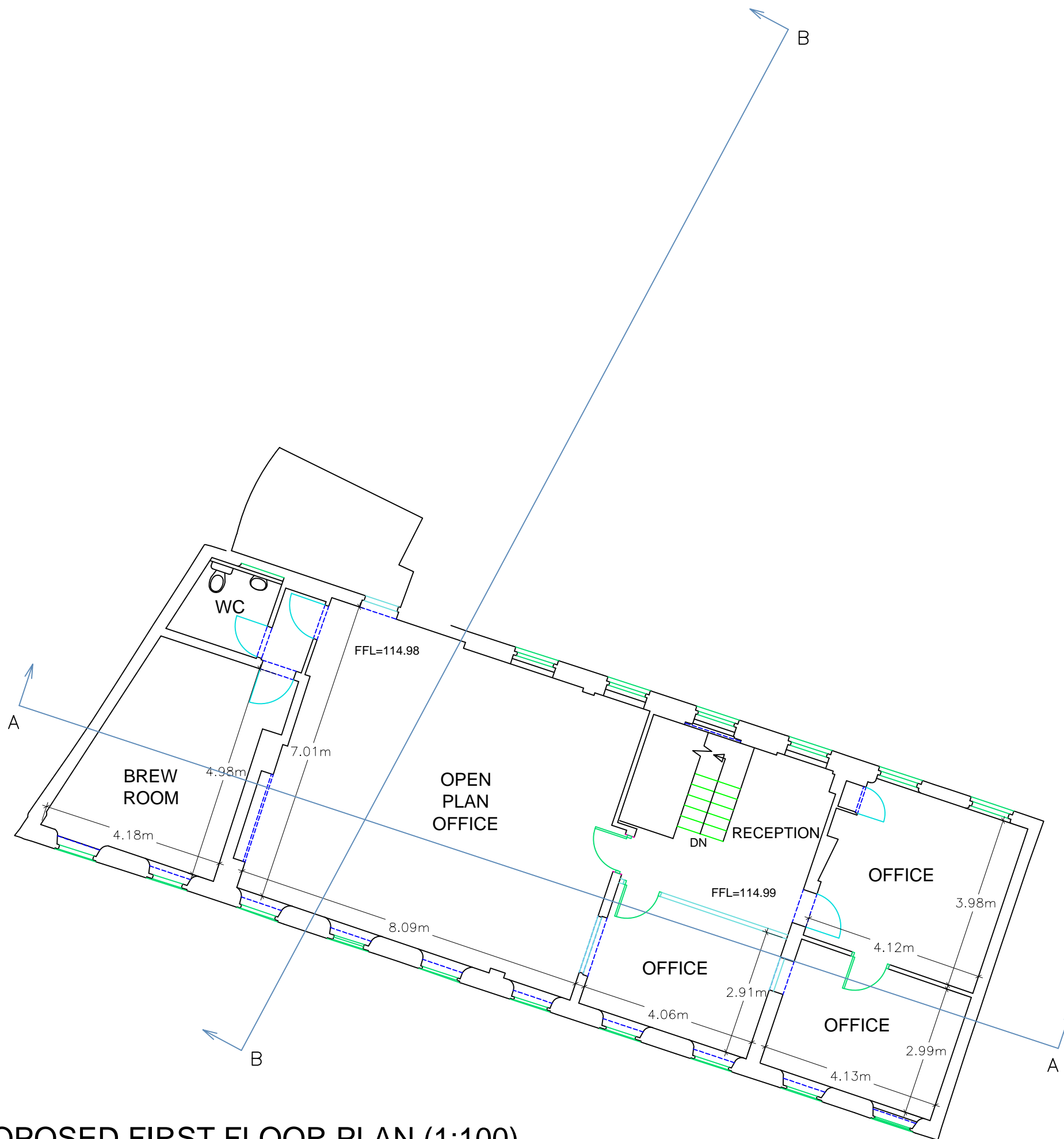
MRS OLIVIERO

Dwg. No.

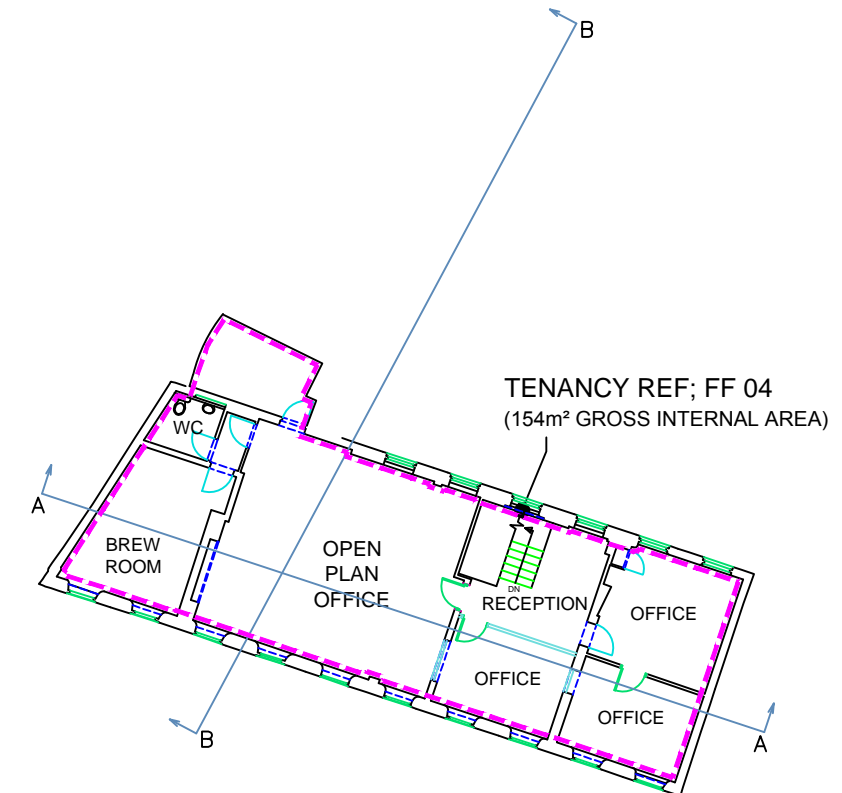
19/1214/202C - PROPOSED GROUND FLOOR PLAN

Date	Plot Scale	Drawn by	Status
11.02.2019	A3@1:100	JPE	ISSUE

JPE CONSULTANCY LIMITED
ARCHITECTURAL DESIGN & PLANNING
 9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF
 Telephone 07875 627 988 jim@jpeconsultancy.co.uk



PROPOSED FIRST FLOOR PLAN (1:100)



PROPOSED FIRST FLOOR
TENANCY AREA (1:250)

A	24.06.19	JPE	PROPOSAL FOR CHANGE OF USE TO HEALTH & BEAUTY REMOVED AND FIRST FLOOR RETAINED AS B1 OFFICE USE.
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Amendments			
Title	CHANGE OF USE OF EXISTING BUSINESS AND GENERAL INDUSTRY USE (B1 & B2) TO MIXED USE LEISURE (D2), CAFE (A3), AND AREA OF RETAINED OFFICES (B1) AT RAYHOME BUILDING, WALSHAW ROAD, WALSHAW, BURY~		

Client	MRS OLIVIERO		
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Dwg. No.	19/1214/203A - PROPOSED FIRST FLOOR PLAN		
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Date	Plot Scale	Drawn by	Status
11.02.2019	A3@1:100	JPE	ISSUE

JPE CONSULTANCY LIMITED
ARCHITECTURAL DESIGN & PLANNING
 9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF
 Telephone 07875 627 988 jim@jpeconsultancy.co.uk

Works

Works

Sub Sta
Shelter

WALSHAW ROAD

329

327

325

SUBJECT
PREMISES

SUBJECT
PREMISES

SUBJECT
PREMISES

ENTRANCE (LOWER
GROUND FLOOR)

ENTRANCE DOORS
(GROUND FLOOR)

EXISTING
RAILINGS

RIGHT OF ACCESS (AND USE)
OF 4 CAR PARKING BAYS TO
ADJACENT PREMISES
(PARKING BAYS 7-10).

EXISTING STONE
WALLING WITH RAILING

10

9

8

7

1

2

3

4

5

6

A	17.05.19	JPE	EXISTING SITE PLAN AMENDED TO SHOW USE OF PARKING AREA TO ADJACENT PREMISES (BAYS 7-10). CAR PARK SPACES RENUMBERED.		
Amendments					
Title CHANGE OF USE OF EXISTING BUSINESS AND GENERAL INDUSTRY USE (B1 & B2) TO MIXED USE LEISURE (D2), CAFE (A3) WITH RETAIL ELEMENT (A1), OFFICES (B1), AND HEALTH & BEAUTY (SUI GENERIS) AT RAYHOME BUILDING, WALSHAW ROAD, WALSHAW, BURY-					
Client MRS OLIVIERO					
Dwg. No. 19/1214/105A - EXISTING SITE PLAN					
Date	11.02.2019	Plot Scale	A1 @ 1:100	Drawn by JPE	Status
JPE CONSULTANCY LIMITED ARCHITECTURAL DESIGN & PLANNING 9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF Telephone 07875 627 988 jim@jpeconsultancy.co.uk					

Appendix 2 – Parking assessment (based upon Bury MBC SPD11)

Existing use of Rayhome building

Proposed use	Floor area m ²	Parking requirement	8.30 -10.30	10.30-12.30	12.30-14.30	14.30-16.30	16.30-18.30	18.30-20.30
Lower ground								
Engineering use	253	1 per 60m ²	5	5	5	5	5	-
Ground floor								
Office	263	1 per 35m ²	8	8	8	8	8	-
First floor								
Office	154	1 per 35m ²	5	5	5	5	5	-
Total spaces req'd			18	18	18	18	18	-
Existing spaces			11	11	11	11	11	-
Shortfall - / surplus +			-7	-7	-7	-7	-7	-

Proposed use of Rayhome building

Proposed use	Floor area m ²	Parking requirement	8.30 -10.30	10.30-12.30	12.30-14.30	14.30-16.30	16.30-18.30	18.30-20.30
Lower ground								
Pilates & yoga *one to one tuition	107	1 per 25m ²	7	4*	4*	4*	4*	7
Ground floor								
Café **reduced occupancy	63	1 per 7m ² public area	9	9	9	4**	4**	-
Office	127	1 per 35m ²	3	3	3	3	3	-
First floor								
Office	154	1 per 25m ²	5	5	5	5	5	-
Total spaces req'd			24	21	21	16	16	7
Spaces available			24	24	24	24	24	24
Shortfall - / surplus +			0	+3	+3	+8	+8	+17

Ward: Bury East

Item 02

Applicant: Mangrove Estates Ltd/Jigsaw Homes Group

Location: Land between 60 and Unit 6 Millett Street, Bury, BL9 0JA

Proposal: Erection of a building to contain 36 no. apartments with associated external works, car parking and landscaping

Application Ref: 63992/Full

Target Date: 09/12/2019

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a S106 Agreement for Affordable Housing in accordance with UDP Policy H4/1 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.

Description

The site relates to a rectangular piece of land which was formally occupied by a building and engineering company. The site is now currently used as two informal parking areas, divided by an internal fence and used to store cars which are associated with the car showroom to the north of Millett Street known as RRG.

Directly to the north of the site is a car workshop, to the south a row of semi detached properties and opposite are 2 storey terrace houses. Bury town centre is approximately 0.5 miles away.

The site itself comprises hardcore and tarmac surfacing, with areas of overgrown and unmaintained vegetation. To the rear of the site is a line of mature trees, beyond which is a steep embankment which drops down to the River Irwell and which is designated as a Wildlife Link and Corridor under UDP Policy EN6/4. The site is bounded by a palisade fence and there are two access points off Millett Street.

There is an extant consent for a mixed use scheme for 21 apartments and an office development which was approved in 2006, with a material start made to the development in 2009. A further application for a residential development of 12 No. semi detached dwellings was made in 2016, and whilst the principle was accepted, it was refused due to the failure to enter into a Section 106 for Recreation Provision.

This application proposes a residential development for 36 no. x 1 bedroom apartments with associated external works, car parking and landscaping.

The proposed development would comprise a 3 storey apartment block which would be located in the northern part of the site set back from the frontage with Millett Street by approximately 6m.

The southern area of the site would be utilised as the car park for the development, formally laid out to provide 41 spaces in total, 1 allocated to each of the apartments and 5 visitor spaces to include 2 disabled spaces which would be located close to the main entrance. The car park would also accommodate the bin and cycle stores which would be centrally located in the car park between the parking aisles. The existing access would be widened to facilitate the entrance/egress for 2 cars.

Private amenity space would be provided to the rear of the apartment building and bounded by a 2.1m high perimeter fence to the embankment beyond. Along the front of the site, 1.2m high railings would define the frontage and maintain the views through the site.

The 36 apartments would be provided over the 3 floors with the main entrance located on the west elevation distinguished by a feature canopy and contrasting brickwork. The elevations would also comprise contrasting brickwork with parts of the facade inset to provide visual interest and Juliette balconies added to some of the windows.

The scheme would provide 100% Affordable Housing to be delivered by a Registered Social Provider. This would be secured by a S106 Agreement.

Relevant Planning History

60009 - Residential development - 12 no. dwellings - Refused 31/10/2019 due to failure of the applicant to agree to the signing of the S106 agreement.

52159 - Non-material amendment for 3 no. rear dormers increased in size to match adjacent; 3 No. smoke vent Velux windows added; 3 No. windows added to each side elevation of the offices; Front stair window revised; Window casement style revised - Approved 3-2-2010

45274 - Demolition of offices & service yard; erection of 21 apartments in four storey block & new office accommodation within three storey block - Approved 13-10-2006

Publicity

Letters sent on 11/6/2019 to 59 properties on Millett Street and Bridge Trading Estate Bolton Road.

Site notice posted 14/6/19

Press advert in the Bury Times 20/6/2019.

One letter received from No 65 Millett Street with the following issues -

- While agreeing that the site is in a very run down state and in poor condition, is that not down to the owners lack of maintenance over the many years they have owned it?
- The "Three floored flat roofed" Large single building is not in keeping with all the local residential buildings that are only two story terraced and semi-detached houses so would have an impact on the existing houses. In addition, my understanding was that flat-roofed buildings were not recommended due to being prone to leaking.
- There is a recent development at the northern end of Millett Street, Badger House that shows that new buildings can fit in nicely with the other buildings in the area.
- Parking is inadequate - only 38 spaces for 36 apartments
- Add to the existing traffic problems!. Only space for two visitors
- Parking issue for existing residents, even with residents permits;
- Millett Street is extremely busy, and at times, highly congested because of the business' to the north of the street and the three schools and nursery to the south, so extra traffic would have a high impact on this area and possibly be more hazardous for the residents and their children, and also the children who come and go to these schools. Hamper access for emergency vehicles.
- To compound the traffic problems the old Magistrate courts are being proposed for residential development likely to contribute an additional 50-100 cars
- understand that the River Irwell along this stretch of river is a 'recognized wildlife corridor' and as this large development borders on to this area, it would be detrimental to the local wildlife, we have Foxes and Badgers, Herons, Kingfisher and much, much more. The area is also used yearly, by visiting House Martins for breeding, which will affect their habits too.
- The site is situated on the top of the narrowest part, of a large steep riverbank and the proposed building is extremely large therefore very heavy, Is this not the reason this narrow section wasn't built on when the rest of the street was developed. Therefore, would the ground be safe?

Petition received with 16 signatures

A revised scheme was submitted on 9/9/2019 and neighbours were re-consulted with the revisions on 9/9/2019

11 letters of objection received from Nos 23, 41, 43, 55, 57, 59, 69 Millett Street, 23 Sankey Street, 13 Bolton Street, 7,9 Fold Street,

- The traffic on Millett St and the surrounding area is a major disturbance to the local residents.
- With an additional 36 apartments this will increase the traffic further. During the busier hours this will cause even more delays entering and exiting the area. Especially with the school traffic from Bury Grammar School and St Gabriel's. Suggest you build a bridge over the river so residents of the apartments can access the building without causing a further disruption;
- please limit the apartments to 2 floors as any more will block the sunlight reaching our gardens
- A higher building would be unsightly;
- Told the foundation is unable to support a housing complex.
- Houses would be more beneficial to all.
- Apartments not in keeping with the area; They are for temporary accommodation and not suited to our liking;
- Increased number of vehicles will present a danger to our children;
- Impact on wildlife in the area;
- Overcrowding

Unit 3 Millett Street:

- We run a business (Volksmaster Limited) repairing vehicles and have done on this site for over 8 years but even though we do not live on the street we run a service for the community of Bury. Concerns are how we are going to manage with the Parking of vehicles which visit our business Monday to Friday.
- We have four parking permits which would just cover our staff and then four parking space outside our premises we would like to know what is being put into place to accommodate for the additional cars that will be visit the purposed flats and how this will effect us as a long term
- Another concern is the amount of traffic which will be generated from the flats on an already busy road with Bury Grammer traffic and also the motorist using this to cut through ? We suggest some type of scheme for parking during the day for business .

Representative from the RSPB:

- I am concerned that this is a large development at the side of a River corridor and will have an inevitable impact on wildlife. There is no ecological report attached and I wonder if Bat surveys and Bird Surveys have been completed during the nesting season? There is mention of House Martins using the building but no mention of planned mitigation for them or other bird species in the area. If planning were to be granted opportunities to maximise and not negatively impact on biodiversity from this area would need to be incorporated in line with achieving net gain. It is important that this is done with due reference to the species already present in the area which requires ecological surveys.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Borough Engineer - Drainage Section - No response received.

Environmental Health - Contaminated Land - No objection subject to conditions

Environmental Health - Pollution Control - No objection subject to a condition.

Waste Management - No response received.

Environment Agency - No objection subject to an informative to advise the applicant of the

Environmental Permitting Regulations. The site is not in an identified Flood Risk Zone and proposed retention of the buffer along the River Irwell is satisfactory.

Greater Manchester Police - designforsecurity - Recommend the implementation of the physical security specifications set out in the Crime Impact Statement.

United Utilities (Water and waste) - No objection subject to conditions to implement the submitted surface water drainage scheme and to drain foul and surface water on separate systems.

Greater Manchester Ecology Unit - No objection subject to conditions

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EC2/2	Employment Land and Premises
EC4/1	Small Businesses
EC5	Offices
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6/4	Wildlife Links and Corridors
EN10/2	Riverside and Canalside Improvement in Urban Areas
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
OL5/3	Riverside and Canalside Development in Urban Areas
RT2/2	Recreation Provision in New Housing Development
SPD1	Open Space, Sport and Recreation Provision
SPD11	Parking Standards in Bury
Area	Tentersfield/Millet Street/Tenterden Street
BY1	
H4/1	Affordable Housing
SPD5	DC Policy Guidance Note 5: Affordable Housing

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.

Principles

Housing Policy 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.

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 a sustainable and urban area, comprising a mix of commercial and residential uses. It is within walking distance of the town centre and accessed via one of the major highway network routes which runs through the Borough. There is existing infrastructure in place to facilitate the development.

The development would therefore not conflict with the local environment in terms of character and surrounding land uses. The proposed development would also contribute to the provision of much needed Affordable Housing stock in the Borough.

As such, the proposed development is therefore considered to be acceptable in principle and comply with the principles of the NPPF and UDP Policies H1/2, H2/1, H2/2 and H4/1. .

Loss of Employment Land - UDP Policy EC2/2 relates to Employment Land and Premises and states that the Council will resist the loss of such sites unless it can be demonstrated that the site is no longer suited, in land use terms, to continued employment use. This Policy is supported by SPD14 which sets out, in more detail how the Council will respond to proposals involving the loss of employment land to higher value uses, such as residential.

In basic terms, the approach set out in SPD14 initially seeks to retain sites in employment use but other options may be explored where this can be shown not to be suitable or viable. This approach was followed in considering (and subsequently approving) a previous application on the site (ref 45274) involving a mixed residential/office scheme whereby the office element was seen as being adequate compensation for the loss of the wider site - particularly given the majority of the former site was used for open storage purposes. A technical start was subsequently made on this development meaning that the employment use across the wider site has already been technically lost.

A further application was submitted in 2016 for the redevelopment of the site for 12 no houses. This was also considered against UDP Policy EC2/2 and SPD14 and it was accepted that there was unlikely to be any prospect of an office development or any other employment use in this location and on this scale coming forward and consequently there was no justifiable reason to refuse the application on this basis.

The current application is for 36 apartments and includes no provision for employment. While the loss of the office element is subject to EC2/2 and SPD14, there is also a need to be mindful of paragraph 120 of the NPPF. This paragraph states that planning policies and decisions need to reflect changes in the demand for land and where the local planning authority considers there to be no reasonable prospect of an application coming forward for

the use allocated in a plan, they should reallocate the sites as part of a plan update or, in the interim, support applications for alternative uses where the proposed use would contribute to meeting an unmet need for development in the area.

Whilst the application site is not an allocation, the fact that a wholly residential scheme for the site was considered acceptable in principle 3 years ago and that a mixed use scheme was approved over 13 years ago but has not come forward suggests that there is no reasonable short term prospect of the site being re-used for employment purposes.

Consequently, in this instance, there is considered to be insufficient conflict with both UDP Policy EC2/2 and SPD14 to justify refusal on this basis.

Layout - The site is broadly rectangular in shape and the proposed building would be located in the northern half of the site. In response to the local vernacular and character of the streetscene, it is proposed to site the apartment block on a similar building line to those of the adjacent houses and commercial buildings. There would be a grassed verge to the front of the building and a low hedge and 1.2m high railings would run along the boundary with Millett Street, with intermittent tree planting to soften the frontage.

The remainder of the land to the south of the building would be utilised as the car park for the development. The existing access into the site would be widened, and this would lead into the car park which would be formally laid out to provide a total of 41 spaces including 2 disabled spaces which would be located close to the main entrance on the west elevation facing the car park.

A bin store and cycle store would be sited in the car park between the rows of parking bays, and behind the building a grassed private amenity area would be provided for the residents. The land at the rear drops down fairly significantly to the River Irwell but the trees along the rear boundary and the embankment would not be affected by the siting of the building or the associated amenities and a 2.1m fence along the rear boundary of the site would define the curtilage and protect this area.

It is considered that the proposed layout would utilise the site area to its full potential, providing a sustainable and viable building whilst ensuring that associated parking and amenities could be accommodated without compromise to both future occupiers or existing residents living in the locality.

As such, it is considered that the proposed development would comply with UDP Policies H2/1 and H2/2.

Design, scale and appearance - The proposed building would be 3 storey in height set towards the frontage of Millett Street. Due to the slight rise in gradient from the site to the houses opposite and the rise in the road to the houses which are located to the south of the site on Millett Street, the proposed build would be only marginally but not perceptively higher than the surrounding dwellings, and as such would address the streetscape and reflect the scale and character of the surrounding residential area. The site is a relatively large expanse of land and could adequately accommodate the scale of building proposed leaving enough 'breathing space' to adjacent properties so as to not over dominate the existing built form in the locality.

The proposed apartments would have a modern appearance, with distinctive and well defined building lines, staggered in parts to add elements of architectural interest. The main entrance on the south elevation would be emphasised by the integration of a projecting wing and canopy, to create a strong corner feature.

To maintain the consistency of the brick built dwellings characterising the area, the apartment block would be predominantly brick built, comprising two contrasting colours to provide depth to the elevations and entrance, with glazed juliette balustrades added to some of the windows which would also add interesting features to the facade.

The main entrance on the south elevation would overlook the car park and this would provide a good surveillance of this area.

It is therefore considered that the scale and the design of the proposed building would offer a quality residential scheme which would respect and acknowledge the character of the area and would comply with UDP Policies H2/1, H2/2 and EN1/2.

Impact on residential development - There is no specific guidance on aspect standards for new residential development. However, SPD6 contain supplementary guidance on householder extensions and assessment of their relationship to adjacent properties and is a useful yardstick to use for new residential developments.

Generally, a separation distance of 20m is required between facing habitable room windows and 13m between a principle ground floor window and a 2 storey blank wall. Where there is a difference in levels or additional storeys, additional separation of generally 3m would be sought.

The site is more or less level although there is a slight but not significant rise travelling southwards up Millett Street. The 2 storey terrace houses opposite sit at a slightly higher level to the site. Given the development is proposed as a 3 storey build, a 23m separation would be sought to these houses.

The majority of the proposed apartment block would be 25m from the houses opposite, with a small section of the facade some 23m away. The development would therefore comply with policy guidance and as such there would be an acceptable relationship to the terraces opposite the site on Millett Street.

There is a blank elevation to No 60 Millett Street which is adjacent to the south of the site and as the build would be located in the northern part of the site, and more than 40m away, separation distances would be comfortably satisfied and there would not be an overbearing relationship to this property. No 60 would also be protected from views of the car park by the 2.1m high boundary fence proposed along the shared boundary.

To the north are commercial buildings which would be unaffected by the siting and position of the new build.

As such, the development is considered to be acceptable and would comply with UDP Policies H2/1, H2/2 and SPD6.

Highways

The application is supported by a Highway's Statement which has carried out traffic flow and parking surveys of the area.

Although classified as a 'B' Road, Millett Street is no longer used as a strategic route in the area, as the A58 is the main arterial road around the town centre. Millett Street is a long straight and road with good visibility and there are traffic calming measures and speed cushions in place.

The existing single access would be utilised but widened slightly to improve visibility and sight lines on exit from the site and as such this is considered to better the existing arrangement.

In terms of parking, SPD11 advises that in high access areas, 1 space per 1 bed unit would be required which would equate to 36 spaces for the development. It is proposed to provide 41 spaces within the car park, 1 space per unit and 5 spaces provided for visitors which would comply with policy guidance. Social Housing and Social Housing Provider schemes tend to generate lesser car ownership than other types of residential development schemes, with reliance being more on public transport and the proximity of local amenities

and services. Whilst the site is not located centrally within the town, it is within reasonable walking distance to local amenities and shops as well as public transport and the main bus and metrolink terminals and as such is considered to be in a sustainable and accessible area.

The objectors have raised concerns about the potential impact on parking in the immediate area. There is a residential parking scheme in place on both sides of Millett Street and the side roads in the area, including a stretch of road in front of the site which would be unaffected by the proposed development. Further along Millett Street there is unrestricted parking. As such it is considered that there would not be a significant impact to the parking situation in the area.

In terms of traffic generation, similar to most residential areas, trip generations would tend to be staggered throughout the day and evening. It is therefore considered that traffic generation in the area would not increase significantly to warrant concern in terms of highway safety and traffic flows in the vicinity.

In terms of the use of the existing site, this is currently occupied by the car sales business which is located to the north of the site at the end of Millett Street. The applicant states that the cars which are currently parked on the site are staff vehicles and part exchange cars associated with the business. These would be relocated to the business where there is ample room for car storage and parking in their car park and showrooms.

The Highway's Section have raised no objections to the proposed development subject to conditions, and as such the parking and access proposals are considered to be acceptable and comply with UDP Policies H2/2, HT2/4, HT6/2 and SPD11.

Drainage - A revised Drainage Strategy has been received and United Utilities have been re-consulted. They have raised no objection and recommend a condition that the scheme is carried out in accordance with the submitted proposals.

Environment Agency (EA) - Given the proximity of the River Irwell which runs along the western boundary of the site the EA have been consulted on the development proposals.

The site is not in an identified Flood Risk Zone and given the existing buffer to the River Irwell and the steep embankment at the rear, a Flood Risk Assessment is not required and the EA are satisfied with the details submitted with the application for the protection and retention of the buffer along the River Irwell.

In terms of contamination and controlled water, the EA advise that the applicant may require a permit under the Environmental Permitting Regulations 2016 which would be included as an informative.

Ecology

An Arboricultural Report has been submitted with the application and Greater Manchester Ecology Unit (GMEU) have been consulted on the proposals.

In summary, the site is generally a low risk for ecology and GMEU advise that potential issues can be resolved via condition and/or informative.

Proximity to the River Irwell - The development site lies immediately adjacent to the River Irwell, currently subject to the EU Water Framework Directive (WFD), one of the objectives being to prevent further deterioration which can include changes to flow pattern, width and depth of channel, sediment availability/transport and ecology and biology. It also a major wildlife corridor protected under Bury UDP policy EN6/4.

The developer proposes to retain all the existing vegetation along the river. Therefore risks are restricted to indirect impacts such as pollution and lighting, during and post development. The nature of the development is such that lighting is unlikely to be a

significant risk. Clarification is however required on how the site is to be drained to ensure no increase in run-off, sediment or pollution enters the river that would result in a deterioration of the value of the river as defined under the WFD. GMEU are satisfied this information can be supplied as part of a construction management plan to cover the construction period.

Invasive species - Japanese knotweed is confirmed as present on the site and along the boundary. Himalayan balsam is also present judging from photographs of the site and there is a risk of giant hogweed also being present as it is abundant along the River Irwell at this point. All are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule.

The applicant has submitted a method statement to deal with the presence of Japanese knotweed which is considered acceptable to GMEU. As part of any permission GMEU recommend a condition for the submission of a method statement detailing eradication/control/avoidance measures for the other invasive species.

Nesting birds - Whilst trees are to be retained, some disturbance may occur during construction. An informative to advise the applicant of their responsibilities under the Wildlife and Countryside Act 1981 as amended, would be included.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The development provides an opportunity through landscaping to enhance the River Irwell.

A landscaping scheme has been received and GMEU are satisfied with the proposals and therefore recommend a condition the development be carried out in accordance with the information submitted.

Pollution Control - A Noise Report has been submitted with the application and the Pollution Control Section have been consulted, concluding that the recommendation of the Report to provide a scheme of sound insulation works would deem the development not to be adversely affected by potential noise nuisance in the vicinity from the adjacent commercial operations and would therefore be acceptable.

The recommendations of the Report would be included as a condition.

Air quality - The site is not located within an Air Quality Management Area. Due to the scale of the development it is considered unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

However, Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The Government report, 'UK Plan for Tackling Roadside NO2', published in July 2017, identified Bury Council as an area having one or more roads with concentrations of NO2 above statutory limits, according to more recent modelling results. Bury is therefore required to address these exceedances and we are currently engaging with Government on our proposed plans to reduce NO2 concentrations across the borough.

Due to this requirement and in line with the principles of Good Practice set out in the EPUK Guidance, this Section recommends a condition to provide one EV charge point per 10 spaces.

This is to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life, in accordance with the NPPF.

Planning obligations - In accordance with UDP Policy RT2/2 and SPD1, a contribution for

recreation provision would usually be required. For a scheme of 36 apartments, this would equate to £56,230.20.

The application proposes a development for 100% Affordable Housing to be provided by a Registered Social Landlord. The proposed development would contribute in addressing the shortfall of affordable housing in the Borough which is a particular key objective of the Council to provide for the residents of Bury and meet local housing needs.

The application is also supported by a Financial Viability Appraisal which concludes that any recreation contribution would deem the scheme as unviable and undeliverable.

Weighing up the benefits of the scheme, both socially and economically, it is considered that the provision of 100% Affordable accommodation would offset the requirement for a financial contribution towards recreation, and as such in this circumstance it would be acceptable to waive the obligation.

This would be secured by a S106 Agreement.

Response to objectors

The issues raised by the objectors relating to traffic generation, parking, design, character of the development type, wildlife and ecology have been covered in the above report.

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

The 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: Mind 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 and information -
Noise report by ENS Ltd dated 4th June 2019; Arboricultural report by Murray Tree Consultancy dated June 2019 ref PM/FULL/07/06/19; Crime Impact Statement version A: 24th May 2019 URN 2019/0304/CIS/01; Drainage Strategy 7245/SK01
Existing site plan/Location plan 4358/001 Rev C; Proposed site plan 4358/101 Rev D; Proposed Elevations 4358/120 Rev C; Proposed plans - Sheet 1 of 2 4358/110 Rev B; Proposed Plans - Sheet 2 of 2 4358/111 Rev B; Existing and Proposed Street Scene/Site sections/Location plan 4358/150 Rev C; Proposed Boundary Treatments/Street Scene 4358/151 Rev B;
and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until:-
 - A suitable risk assessment has been 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. Prior to first occupation the applicant shall provide and make available for use one EV charging point per 10 spaces in the car park hereby approved.

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

6. Notwithstanding the details indicated on approved plan reference 4358/101 Revision D, following commencement of development, and prior to first occupation, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Proposals to amend the proposed boundary treatment in the vicinity of the site access and at the northerly site boundary to ensure that adequate levels of visibility are provided at the junctions with Millett Street and at the back edge of the footway, with no obstructions above the height of 0.6m within the agreed splays;
- In connection with the above and proposed access alterations, a review of, and proposed amendments, to the existing resident's parking scheme and any associated traffic regulation orders on Millett Street, including all necessary physical and legal works.
- A timetable for the programme of works.

The details subsequently approved shall be implemented prior to first occupation of the development hereby approved and to an agreed programme by the Local Planning Authority.

Reason. To mitigate the development's impact on the existing resident's parking scheme abutting the site pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

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

- Access route for construction traffic from the highway network;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage

of the site, including any requisite phasing of the development to accommodate this;

- Parking on site 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 construction periods 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. All required 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. The development hereby approved shall not be first occupied unless and until the access alterations indicated on approved plan reference 4358/101 Revision D, incorporating the widening of the existing site access, reinstatement of the redundant footway crossing, full refurbishment of the footways abutting the site required as a result of the construction of the proposed development, boundary treatment removal and statutory undertakers connections, demarcation of the limits of the adopted highway and all associated highway remedial works, have been implemented in full to an agreed scope and specification.

Reason. To ensure good highway design 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 and HT6/2 - Pedestrian/Vehicular Conflict.

9. The car parking indicated on approved plan reference 4358/101 Revision D shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times
- Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

10. The drainage for the development hereby approved shall be carried out in accordance with the principles as set out in the submitted Foul and Surface Water Drainage Design Drawing 7245/SK01 dated October 2019 and the Drainage Design Statement by Coopers. For the avoidance of doubt, surface water must drain at the restricted rate of 5 l/s. The development shall be completed in accordance with the approved details.

The approved scheme only shall be implemented prior to first occupation and thereafter maintained. Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off, and 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. Foul and surface water shall be drained on separate systems.
- Reason. To promote sustainable development and reduce flood risk pursuant to

Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

12. The development hereby approved shall be carried out in accordance with the recommended mitigation measures of the Noise Report by ENS Ltd dated 4th June 2019 in Section 5.00 - Sound attenuation scheme proposals of the Report and thereafter maintained.
Reason. To safeguard the amenities of the occupiers of the development pursuant to Bury unitary Development Plan Policy EN7/2 - Noise Pollution and the principles of the NPPF.
13. No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the River Irwell from accidental spillages, dust and debris has been submitted to and approved by the Local Planning Authority. All measures will be implemented and maintained for the duration of the construction period in accordance with the approved details.
Reason. Information not submitted at application stage. To ensure the satisfactory and safe development of the site pursuant to Bury Unitary Development Plan Policies EN6/3 - Features of Ecological Value and EN6/4 - Wildlife Links and Corridors and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
14. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Giant Hogweed should be submitted to and approved by the Local Planning Authority. The statement shall include a timetable for implementation. The approved method statement shall be adhered to and implemented in full.
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. Information not submitted at application stage of full details of the actual extent of invasive species in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
15. The development hereby approved shall be carried out in accordance with the submitted Method Statements by JKC Ltd reference QR112.12 v4 and QR112.12 v6 for the excavation/removal/control of Japanese Knotweed.
Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.
Reason. To ensure the safe and satisfactory development of the site in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
16. The development hereby approved shall be carried out in accordance with the submitted 'Landscape Proposals plan 232 01'. The approved plan shall be implemented in accordance with the approved details and 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.
The development shall also provide bird and bat boxes to enhance the functionality of the wildlife corridor, and to be incorporated into the scheme prior to

the first occupation of the development hereby approved.

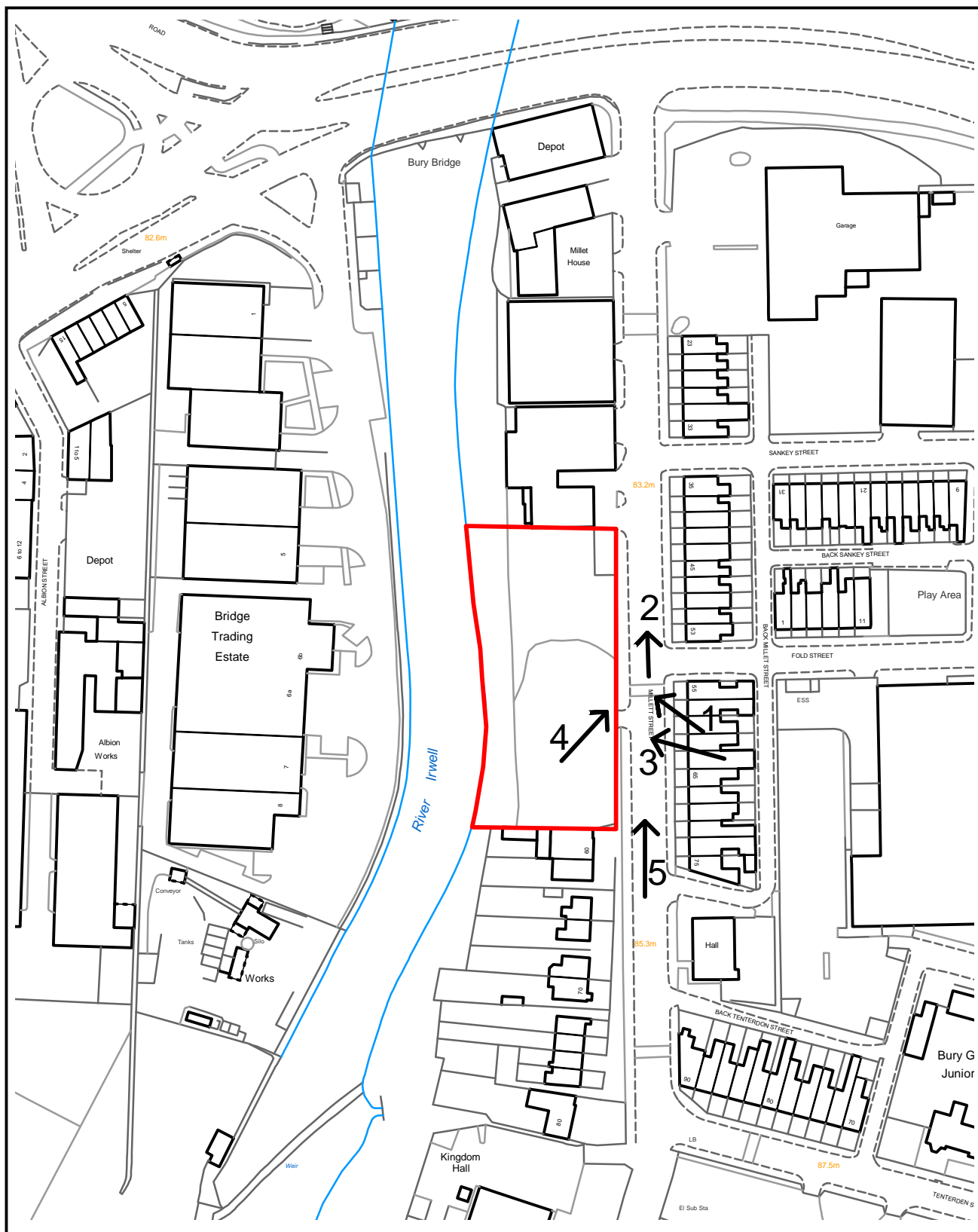
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

17. Following the commencement of the development hereby approved, details/samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63992

ADDRESS: Land between 60 and Unit 6 Millett Street
Bury

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

63992

Photo 1



Photo 2



63992

Photo 3



Photo 4



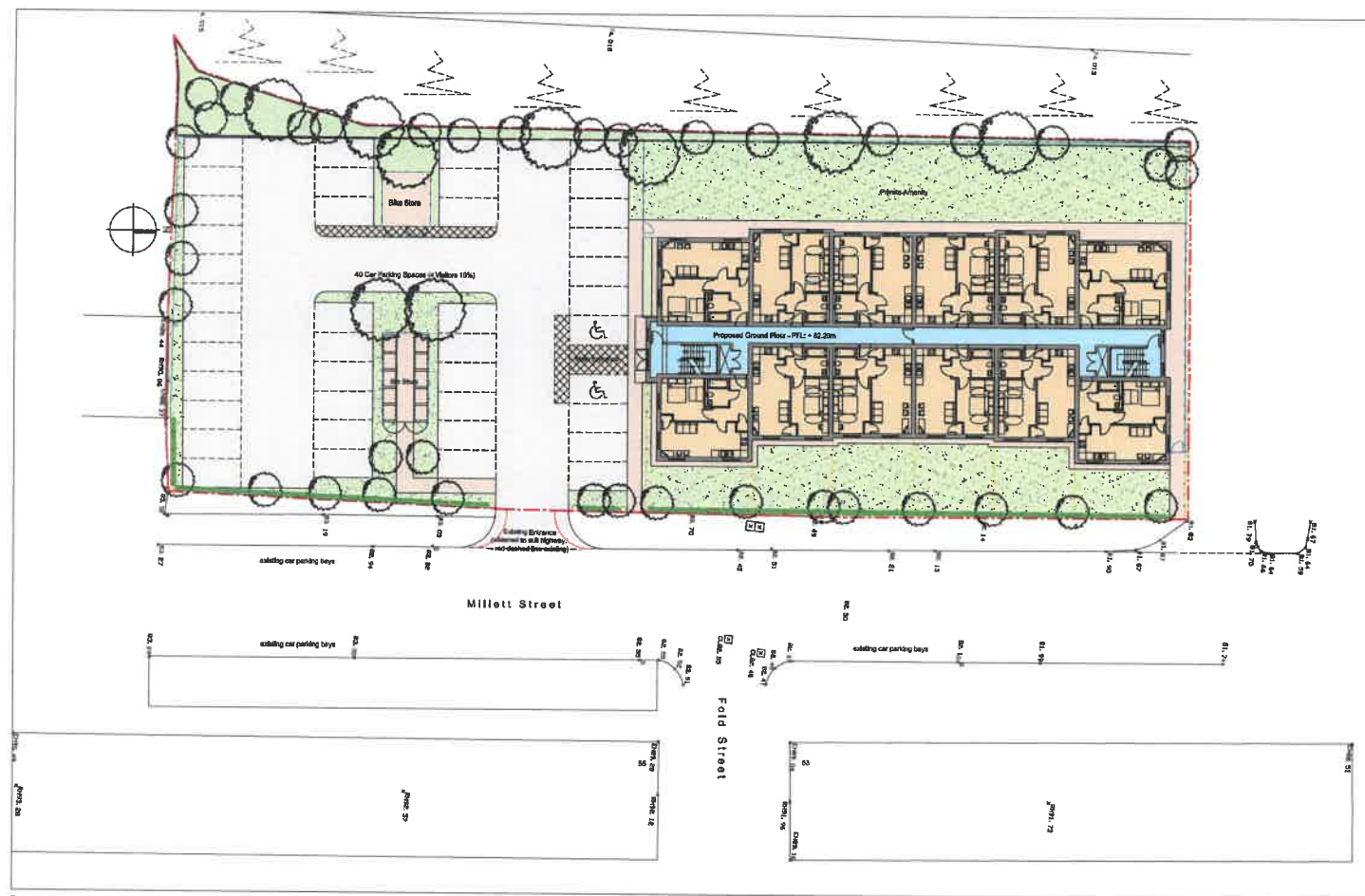
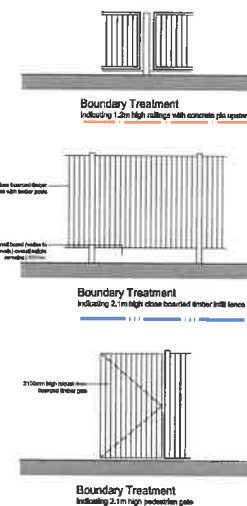
63992

Photo 5





- Key**
- Proposed 1.2m high railings with concrete pile upstand forming floor trap
 - Proposed 1.2m high brick piers faced with pillar cap
 - Proposed 2.1m high close boarded timber fences with timber posts
 - Proposed hedging
 - Proposed 2.1m high timber pedestrian gate
 - Proposed Concrete flag paving
 - Proposed Black Tarred surfacing to access road parking court and driveways
 - Proposed Fountains





North Elevation



Side (West) Elevation



Side (East) Elevation



Millet Street Elevation

All dimensions are to be checked on site, any discrepancies are to be reported to the Architect within 48 hours of completion. Do not make any alterations.
The drawing is to be used in conjunction with all relevant contracts and specifications. Any discrepancies are to be reported to the Architect before the affected work commences.
All structural components shown are indicative only. Check / verify all structural details of structural members are to be provided by the Structural Engineer.
This drawing is copyright.

A. Issued
B. Approved
C. Sealed for Planning

15/07/2019
05/05/2019
05/05/2019

G Grays
Architectural
LIMITED

Tel : 01875 501120
Email: info@graysarchitectural.co.uk

Registered Charity (181)
Groundwork Bury Local Charity
Bury Local Council, 01253 454141

Client
Mangrove Estates Ltd

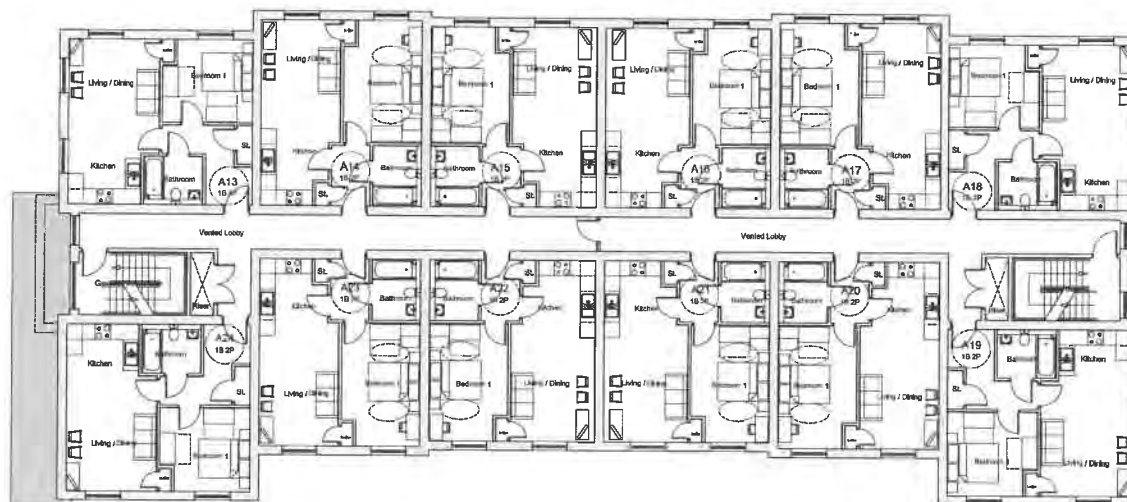
Project
Millet Street, Bury, BL9 0JA

Drawing Title
Proposed Elevations

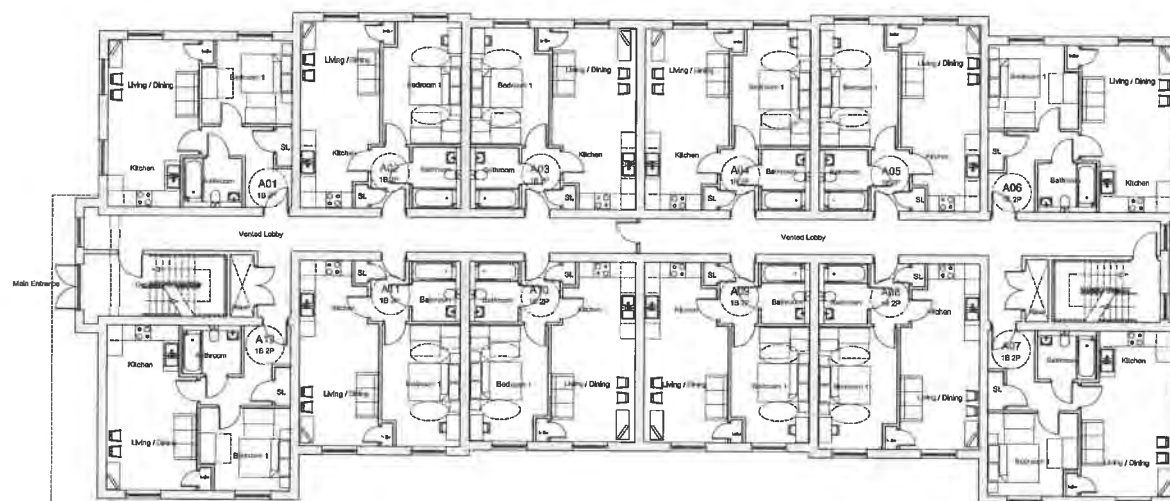
Scale	Date
1:100 @ A1	March 2019

Drawing No	Revisions
4368/120	C

A	Receives	15/07/2015
B	Issued for Spending	05/09/2015



First Floor Plan



Ground Floor Plan



Tel : 0885 843 7283
e-mail: info@greenwoodbedrooms.co.uk

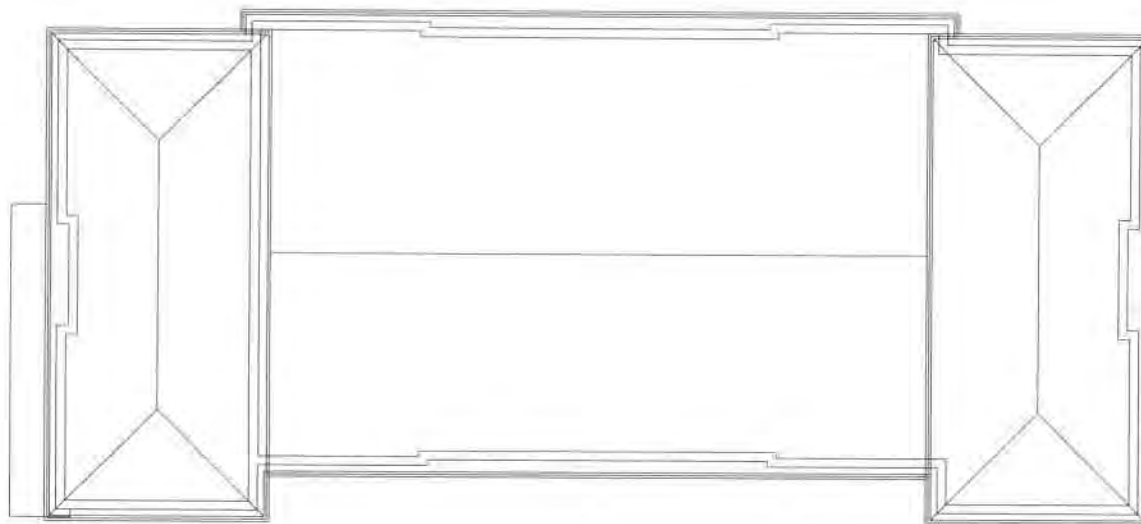
Mangrove Estates Ltd

Project
Millet Street, Bury, BL9 0JA

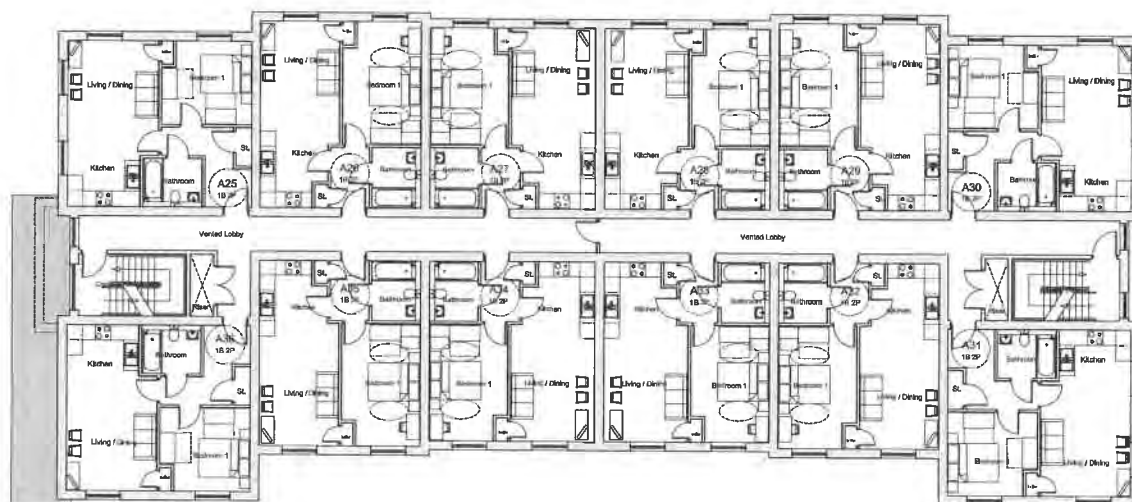
Drawing Title:
Proposed Plans - Sheet 1 of 2

Scale	Date
1:100 @ A1	March 2019

Ordering No.	Revised
4358/110	8



Roof Plan



Second Floor Plan

All dimensions are to the structure or else, any discrepancy with it is to be reported to the architect before work commences. On no account to be done.

This drawing is to be used in conjunction with all relevant regulatory and specialist drawings / documents. Any discrepancies are to be reported to the architect before the relevant work commences.

All structural appointments shown are indicative only. Details / calculations of structural members are to be provided by the Structural Engineer.

This drawing is copyright.

A	Revised	18/03/2019
B	Issued for Planning	06/04/2019



Southwood House (2F)
Greenwood Business Centre
Newcastle, NE4 5JN

Client
Mangrove Estates Ltd

Project
Millet Street, Bury, BL9 0JA

Drawing Title
Proposed Plans - Sheet 2 of 2

Scale
1:100 @ A1

Date
March 2019

Drawing No
4358/111

Marked
B

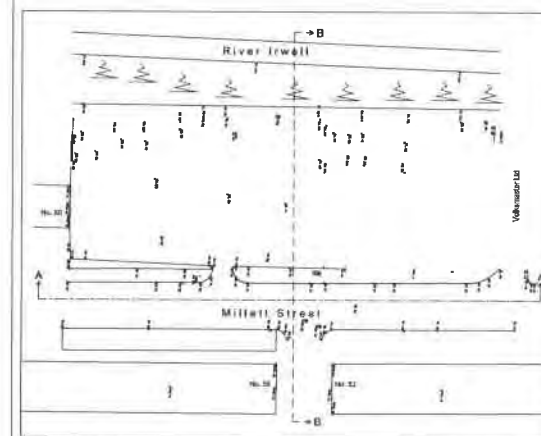
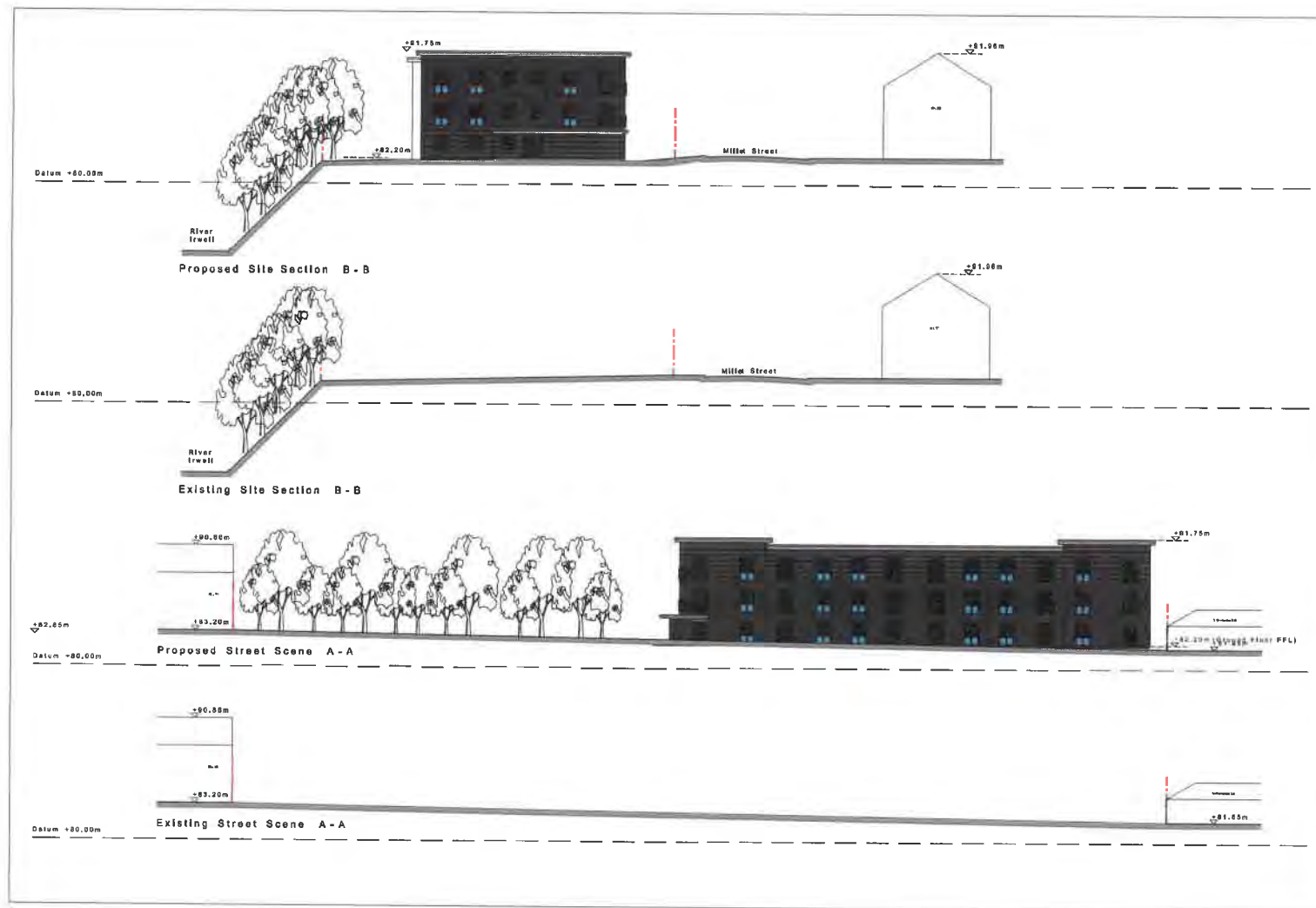
All dimensions are to be checked on site, any discrepancies are to be reported to the architect before work commences. All dimensions are to be taken from the finished ground level.

This drawing is to be used in conjunction with all relevant conditions and specifications and shall not be used for any other purpose. Any discrepancies are to be reported to the architect before the relevant work commences.

All structural components shown are indicative only. Details / calculations of structural members are to be provided by the Structural Engineer.

This drawing is copyright.

A	Architect	10/05/2019
B	Structural Engineer	07/06/2019
C	Surveyor / Planning	06/07/2019



Location Plan - 1:500



Registered Members (10)
Overseas Business Development
Memberships (10)

Client

Mangrove Estates Ltd

Project

Mill Street, Bury, BL9 0JA

Drawn by

Existing & Proposed Street Scene /

Site Sections / Location Plan

Scale

1:200 / 1:500 @ A1

Date

May 2019

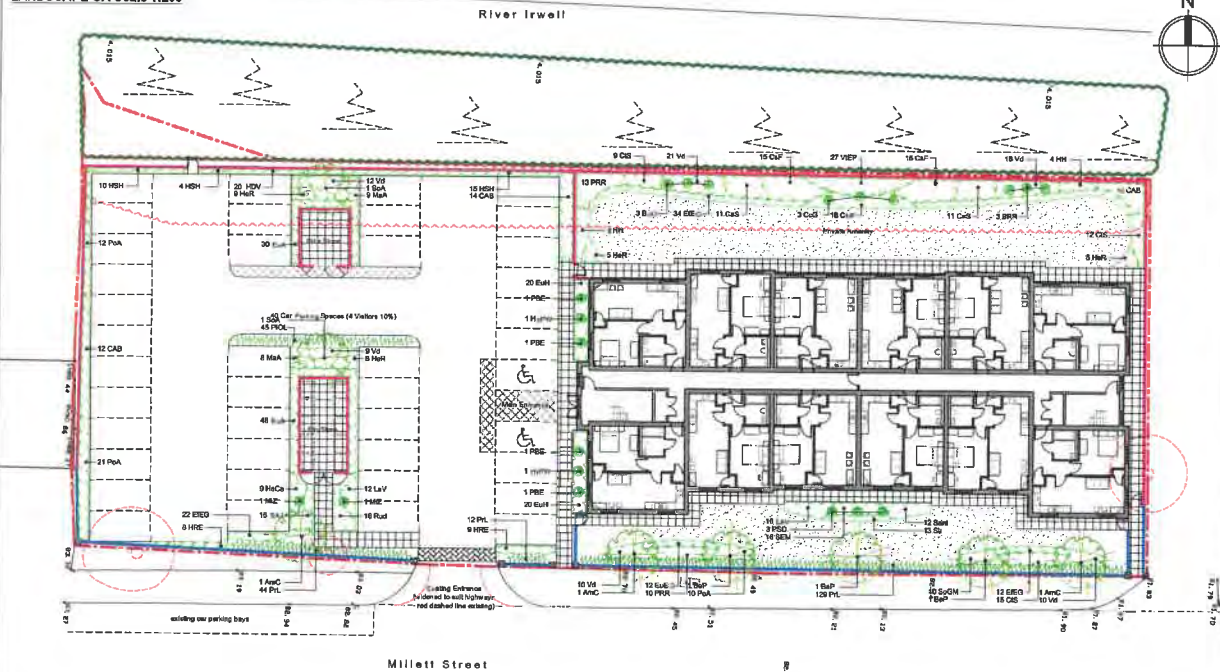
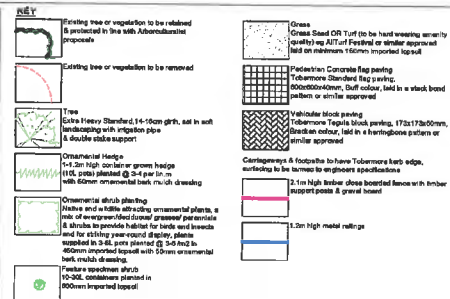
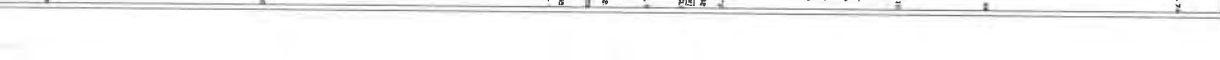
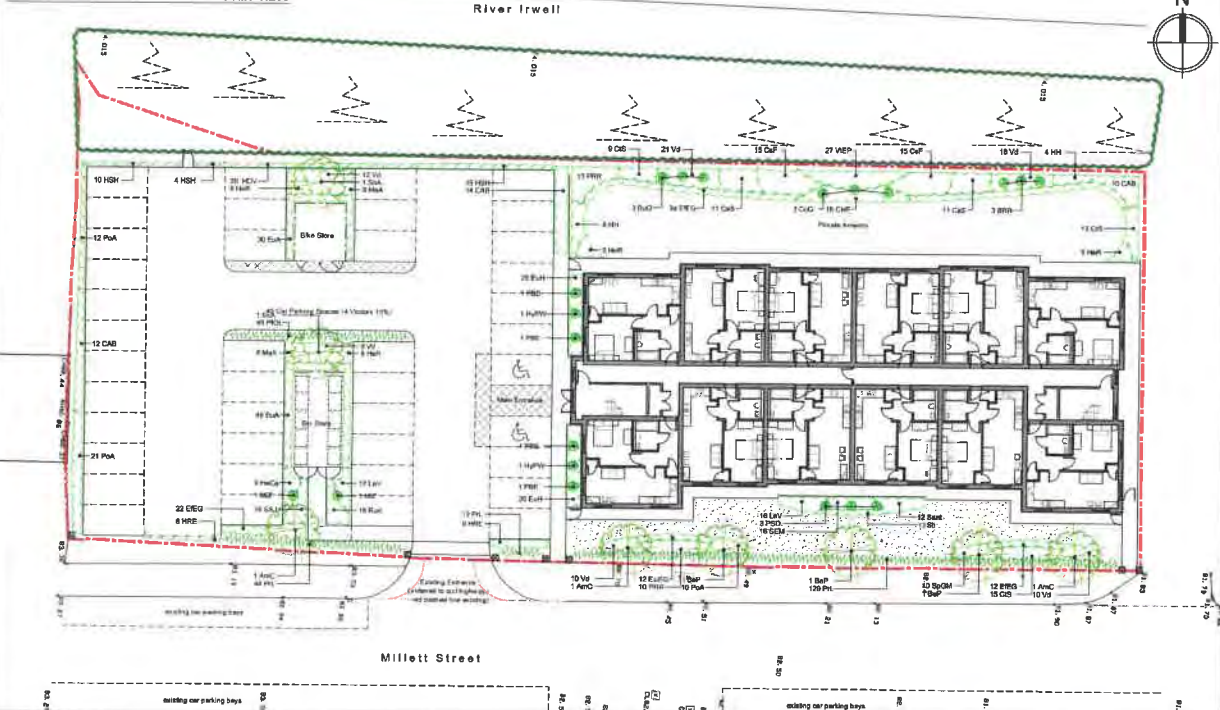
Drawing No

4358/150

Revised

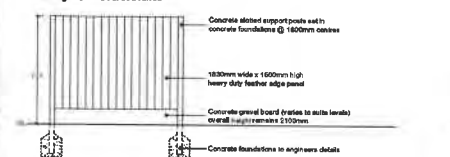
C

Sections / Elevations - 1:200

**DETAILED PLANTING PROPOSALS Scale 1:200**

BOUNDARY DETAILS Scale

2100mm high close boarded fence



PLANTING NOTES

- [illegible]

PLANTING AFTERCARE - 5 year establishment period

- [illegible]

Ward: Bury East - Moorside

Item 03

Applicant: Mr & Mrs Sanders

Location: Davises Farm, Mather Road, Bury, BL9 6TJ

Proposal: Retention of timber storage building granted temporary consent and addition of brown corrugated steel lean to extensions

Application Ref: 64437/Full

Target Date: 09/10/2019

Recommendation: Approve with Conditions

Item was deferred for a site visit by the Planning Control Committee at their last meeting on the 8th October 2019.

Description

The application relates to a site located on Mather Road. The site is accessed via a bridleway and is located within the Green Belt. The site as a whole comprises a detached dwelling house, a converted barn, a garage that also has permission to be converted into a dwelling and a timber storage building. The site is elevated from Limefield Brow and is partially screened by existing conifer hedging.

Planning permission is sought for the retention of an existing timber store that was given temporary approval in June 2011. The original store was approximately 13000mm in length, and 6000mm in width, with a covered opening to the front and enclosed storage area to the rear. The ridge of the existing building reaches a maximum height of approximately 4100mm. The original storage unit was constructed from an oak frame, with wooden boarded elevations and doors and wooden shingles for the roof.

Following construction the storage building has also been extended to the rear by approximately 3100mm and to the side by approximately 2250mm creating a wrap around, lean to roof extension. The extensions reach a height of approximately 2500mm and have been constructed from brown corrugated steel.

Relevant Planning History

01943/E - Change of use and extension to convert existing garage to residential property - Enquiry completed 24/02/2017

46639 - Revised layout to previously approved barn conversion (Planning permission 42712/04) - Approve with Conditions 31/08/2006

51033 - Two storey detached garage (Resubmission) - Approve with Conditions 08/04/2009

52720 - 1 No. storage container (retrospective) - Withdrawn - Invalid 03/09/2010

53356 - Retention of a steel security container and lorry back - Refused 11/01/2011

53814 - Provision of a timber store (temporary) - Approve with Conditions 17/06/2011

61392 - Conversion, alterations and extension to existing block of 3 garages to form detached dwelling - Approve with Conditions 25/08/2017

Enforcement

05/0053 - Car port - 04/05/2005

10/0170 - Container and Van Body - 25/10/2010

12/0117 - Change of use - 22/02/2012

14/0308 - Engineering operation - 18/08/2014

18/0254 - Widening of bridle way, creation of hard standing, siting of caravan, parking/storage vehicles and plant machinery - 16/09/2019

19/0077 - Breach of condition no.1 of temporary planning permission 53814 - 15/07/2019

Publicity

Neighbour letters sent 20/08/2019. Site notice posted 30/08/2019.

22 objections have been received with concerns in relation to:

- Commercial use of bridleway.
- Private individual is using the bridleway for business/commercial purpose in contravention of the planning laws.
- Wanton destruction of Green Belt Land.
- It is a criminal offence to use bridleways for motor propelled vehicles without the proper authority from landowners.
- The landowner has a responsibility to maintain the boundaries not destroy them.
- Bridleway 24 does not have BOAT status.
- Landowner has the authority to maintain, but not widen the bridleway.
- Bridleways are public rights of way and vehicular traffic is an obstruction and a danger to public safety.
- Damage to well established hedgerows and Greenbelt land is a criminal offence and all alterations should be reinstated to their original condition to prevent criminal prosecution.
- Does the land owner have proof that they have agreement in writing that the bridleway can be used for access?
- Without the correct planning permission granted for all work that has taken place so far is illegal and the council should take appropriate steps to fine the applicant.
- Under s34(1) of the Road Traffic Act 1988 vehicles on a bridleway are illegal, bridleway 24 is not listed as a byway
- Object to yet another retrospective application in this area of biological importance.
- Area now resembles a vehicle storage yard with vehicles dumped not only on the grounds of the properties but also on the bridleway.
- Assume that vehicles are not all for the use of the residents of Davises Farm.
- Retrospective applications 64402 and 64492 have been submitted and resubmitted a number of times and objections should be considered with this retrospective application.
- Devastation to this area, home of great crested newts and a site of geological importance has been caused by this application already.
- Clearly linked to the widening of the bridleway application 64402.
- Considering the number of retrospective applications submitted the applicant is aware of the requirement to obtain planning permission prior to commencing work.
- The wood store seems to be a loose description of a building which most likely will become a wood store conversion to dwelling house to go with the converted photographic studio.
- Objection is more to do with the lack of respect for the process than the actual building.
- The aerial view of Davises Farm in 2000 shows two modest buildings surrounded by green. In 2019 the entire plot is covered in extensive buildings and hard landscaping.
- Has planning permission previously been sought for all building extensions, erection, and change of use from domestic to commercial premises, which included use of Gorses Quarry?
- Why was temporary consent sought for something that was intended to be permanent and to what use will the lean to extensions be put?

- This application is directly connected to 64022 under the same ownership.
- The modus operandi of these applications should be subjected to cross examination.
- On a Google Earth view of the property I have counted 38 vehicles, mostly large and commercial
- The applicant is also (partly/fully) responsible for the unauthorised widening of the bridleway which is currently the issue of another retrospective planning application (64402)
- The bridleway widening again caused massive destruction to approximately 300 metres of valuable local hedgerow, vegetation, wildlife and natural habitat.
- Undoubtedly this retrospective application for a storage unit is intended to assist in the running of the applicant's business. The retrospective planning application should be rejected and the removal of the building enforced
- Of course this isn't for domestic use!
- It is right on the bridleway and opposite Gorse Quarry a site of biological importance - the applicant denies it being nearby! See section 12 on the application which needs to be amended and considered
- This applicant has obviously established a business on the property illegally using a bridle way for access. He is now trying to circumvent the law by submitting retrospective planning applications to legalise his destruction of the area.
- Not allow them to submit, retract and resubmit retrospective applications in an appalling attempt to deceive the council and the local people.
- Bury council, do your job, the local people have overwhelmingly objected to this appalling abuse of the planning system, it's time for the council to step up and apply the laws as their legal obligations require them to do.
- I wonder if any of your planning officers has compared what has happened in this area within the last 5 years or so? It has altered almost beyond recognition
- Even though they are not described as such, applications ref 64437 & 64492 are inextricably linked, it is like a game of cat & mouse the applicants are playing with you.
- Inappropriate land development due to effect on adjoining and neighbouring environment.
- The Council should have managed the temporary permission better..
- Council need to be more pro-active.
- Dread to think how many buildings have been erected without permission.
- Council seem to actively work to get amendments so they can approve plans rather than giving enforcement penalties.
- Walked by site and it's amazing that there were no vehicles, trucks, vans or plant equipment. I'm so used to seeing them all parked there. There was nothing parked in the new 'parking bay', which is opposite the houses. All the vast number of cars, and plant machinery, which were previously parked up in the grounds, were gone and there was only one large motor home parked up.
- I know we have recently had a lot of rain, but the bridleway was more of a stream than a walk way.
- The road carriage way & pavement at the Halsall Road end, is already in a mess as the pavement and road are already broken up. These do need to be repaired now, at a cost to be born, I presume, by an already cash strapped Bury Council. If the road & pavement are not repaired, matters of health & safety of people & the potential accident claims that will be made, again will cause an already cash strapped Bury Council, more expense than it can afford.
- Sent to GMCA rather than Bury MBC - I have been trying to comment for weeks but there is always a "problem with the server." Is this deliberate to prevent objections? Even if not deliberate, it is a legal requirement that it should be straightforward to comment; it currently is not straightforward.

1 comment from the Rochdale and Bury Bridleways Association

- A bridleway may be a highway but it is not a road.
- Request that before any "improvements" are approved by the Planning Department that proper consultation happens with David Chadwick, Bury Rights of Way Officer, and also equestrian users of this bridleway as to a suitable surface and drainage solutions.

1 representation of support stating:

- Can see building from where they live and it has been there for around 10 years
- Constructed from sustainable timber including the roof
- Partially hidden by conifers
- Fish pond to the side regularly attract heron

Statutory/Non-Statutory Consultations

Traffic Section - Does not wish to restrict the grant of planning permission.

Drainage Section - Request to attach standard drainage condition requiring submission of a scheme that details surface water drainage proposals.

Environmental Health - Contaminated Land - no comments to make regarding air quality

Public Rights of Way Officer - Request informative in relation to existence of Public Right of Way No. 24 to be attached. No development should take place which affect the Right of Way in the absence of an appropriate closure or diversion order.

Planning Policy Manager - No objections raised.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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

The application site is located in the Green Belt. In order to assess the impact of the elements of the proposal in terms of Green Belt and Visual Amenity this section of the report will be split into two parts, one assessing the impact of the retention of the original timber store and one to assess the impact of the and one to assess the impact of the extensions.

Paragraph 145 of the NPPF regards the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) provision for appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and recreation;
- c) extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building;
- d) replacement of a building, providing 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 community needs under policies set out in the development plan (including policies for rural exceptions 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 housing need with in the area of the local planning authority.

Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages.

UDP Policy EN1/1 - Visual Amenity states that development will not be permitted where proposals would have a detrimental effect on public views of prominent or important buildings, especially those in areas of architectural or historic interest, or the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

Retention of original timber building

Paragraphs 143 and 144 state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC 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. Given that the proposals are not considered to be any of the exceptions as set out in the NPPF, the applicant has been asked to provide VSC.

The timber storage building was originally allowed as a replacement to unsightly storage containers. The curtilage of the premises known as Davises Farm appears to be well defined on site and as such the storage building is considered to be ancillary to the dwelling house. A temporary permission was originally put in place due to the limitations of Green Belt policy at the time. Green Belt policy has however now been updated and would allow infilling and development on previously developed land.

SPD 8 states that careful consideration should be given to the impact of a proposal when viewed from several locations within the immediate vicinity and wider countryside. The view of the proposal from main roads, public footpaths and settlements in particular will be given significant weight when assessing planning applications. The applicant has introduced significant screening since the original permission was secured and as such the building is only visible to the public from the adjacent part of Mather Road to the east of the site. Further views of the building are limited to the peak of the gable.

The storage building has been designed so that it resembles a row of stables which would be appropriate development within this location and would be an exception under paragraph 145 of the NPPF. The views of the proposal in the context of Mather Road presents that of an agricultural building not out of place within a rural setting. The applicant has confirmed that the building is used for storage of motorbikes, garden equipment and sundry items.

The site has a varied history. Application 46639 relates to a barn conversion at Davises

Farm, Approved in 2006. The red edge of this application denotes the curtilage of the dwelling and this includes the area in which the timber store is located. The applicant could construct outbuildings that are considered to be incidental to the enjoyment of the dwelling house under Class E of the General Permitted Development Order within the curtilage of their dwelling, provided all the conditions are met. It is therefore considered preferable to retain a timber store that gives the impression of a stable for storage at the site, rather than piecemeal development of sheds and outbuildings at the site that would have the potential to have a far greater impact on the openness of the Green Belt.

The site of the timber store is also included within the red edge of the previously approved garage conversion (61392). The applicant confirms within their Green Belt Assessment that permitted development rights were not removed under this consent however this permission does not appear to have been implemented and as such does not have the benefit of permitted development as a fall back position in relation to outbuildings at this time. That said, the applicant has three years from the date of decision to implement this decision and as above should the applicant proceed with this application they could construct outbuildings that are considered to be incidental to the enjoyment of the dwelling house under Class E of the General Permitted Development Order within the curtilage of the converted dwelling, provided all the conditions are met. As such, if the timber storage building is refused and removed there is potential that it could be replaced with a building that does not reflect the context of the setting, and could be more urban in design.

Given the above matters and the case presented, it is considered that these points do amount to very special circumstances and given the nature of this particular scheme, the site and its context in accepting the development, it is considered that it outweighs the in principle harm to Green Belt.

Extensions

The extensions to the original timber store could be considered to be an exception under part c of paragraph 145 of the NPPF provided that the extensions do not result in disproportionate additions over and above the size of the original building.

This is further supported by Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt which state that extensions of existing dwellings should not result in disproportionate additions over and above the size of the original dwelling. To assist in what can be considered to be disproportionate SPD 8 considers additions of up to a third (33%). However, that is not to say something larger or smaller than 33%, would not be supported as each case is considered on its own merits.

The volume of the original timber building is approximately 276.25 cubic metres, with the volume of the extensions approximately 131.5 cubic metres. This equates to an increase in volume of approximately 47.6 % which exceeds the 33% as set out within SPD 8. The volume increase however is not the only consideration when evaluating whether or not an extension is disproportionate.

Additions to buildings within the Green Belt should be limited to subsidiary elements of the original building, and should be simple and unobtrusive in design to ensure that they do not result in disproportionate additions over and above the original building. The roofs of the extensions are sited below the eaves of the original timber building and as such are considered to be subservient in nature. The extensions are located to the side and rear of the existing timber store and as such are screened from public viewpoints by the original timber store, or by the substantial planting to the side and rear of the site. The use of corrugated metal is considered to be an appropriate material within this rural, rather than urban context.

In this instance therefore it is considered that the retention of the extensions would not impact on the openness of the Green Belt.

Impact on Residential Amenity

Due to the location of the proposal no residential amenity issues are foreseen.

Response to Objectors

It would appear that a number of the objections are in relation to a separate application, application 64022 - Increase in width of existing access road (incorporating a bridleway). This is a separate matter, applied for by a separate applicant and will be considered in due course against relevant material planning and policy considerations. The applicant has included the bridleway within the red edge of their application as it is required for access to the property, and notice has been served on the relevant parties. This application is solely presented to consider the retention of the timber storage building, and extensions. It should be noted that whilst this temporary permission lapsed in 2014 no complaints have been received by the planning department in relation to this particular building prior to the submission of the above application.

The impact of the proposal on the Green Belt has been discussed within the main body of the report, and includes the consideration of very special circumstances and what could be constructed under Permitted Development Rights.

The proposed storage building is considered to be ancillary to the residential uses of the adjacent properties and as such a change of use to a commercial are not required. A condition has been attached to the permission stating that the store "shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as Davises Farm". There is no restriction on the land to say how many vehicles the applicant can park here.

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

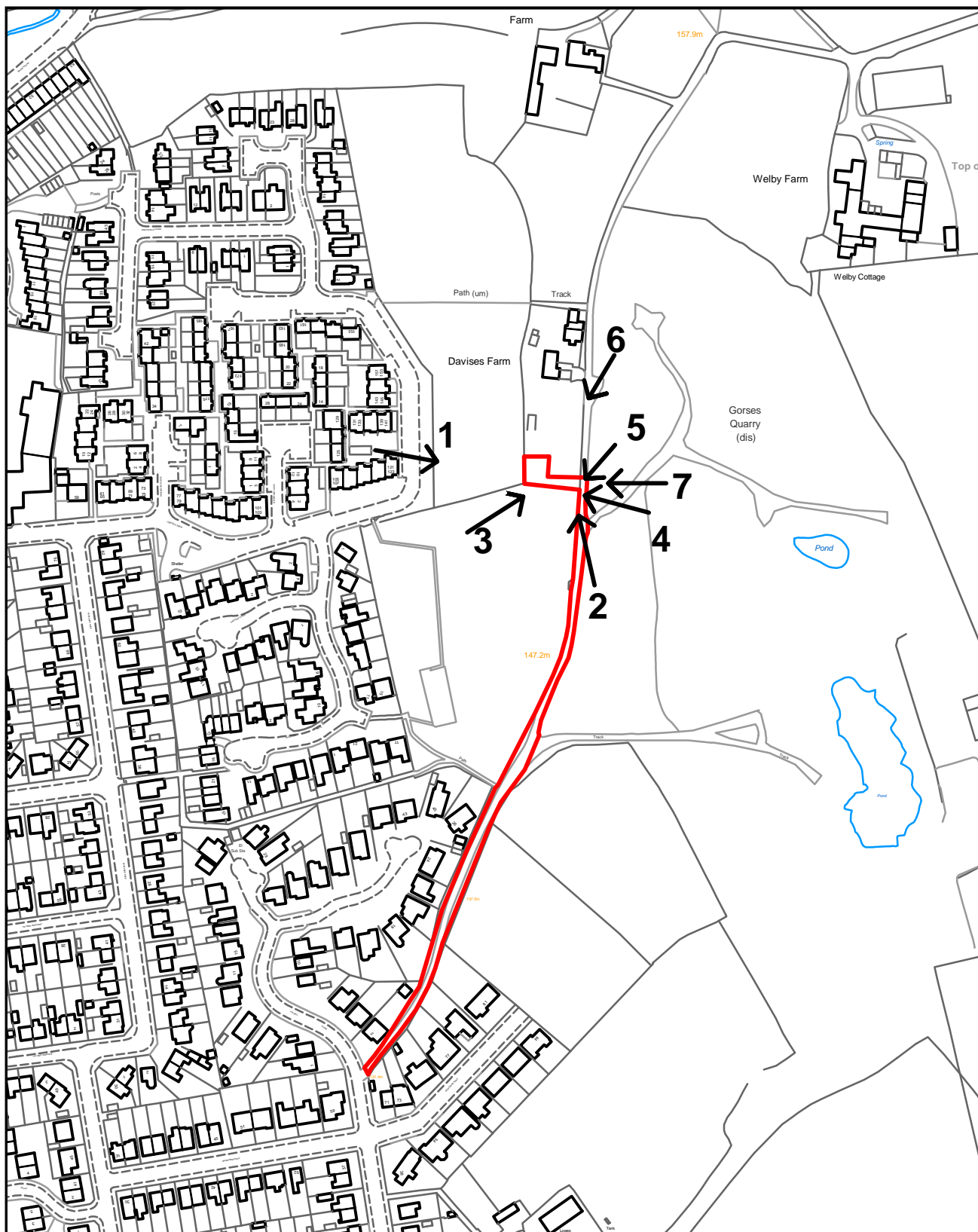
Conditions/ Reasons

1. This decision relates to the drawings received on the 15th July 2019 and the Location Plan received on the 19th July 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.
2. The development hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as Davises Farm.
Reason. To ensure the proposed use remains ancillary to the principle use on the site.
3. Within 3 months of the date of the decision, details of surface water drainage proposals shall be submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided.
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.

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

Viewpoints



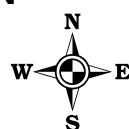
PLANNING APPLICATION LOCATION PLAN

APP. NO 64437

**ADDRESS: Davises Farm
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64437

Photo 1



Photo 2



64437

Photo 3



Photo 4



64437

Photo 5

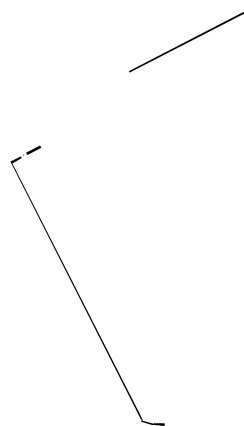


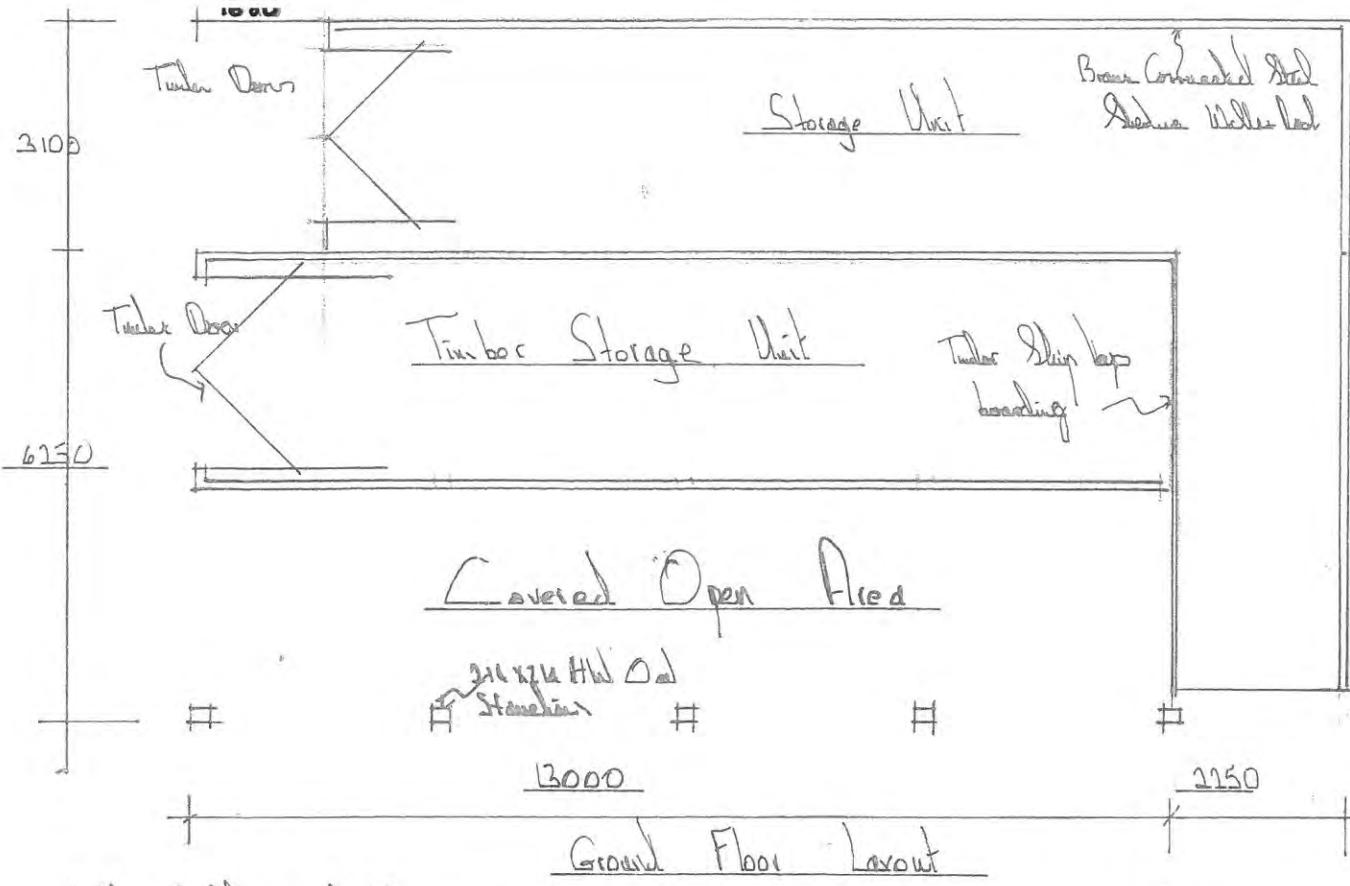
Photo 6



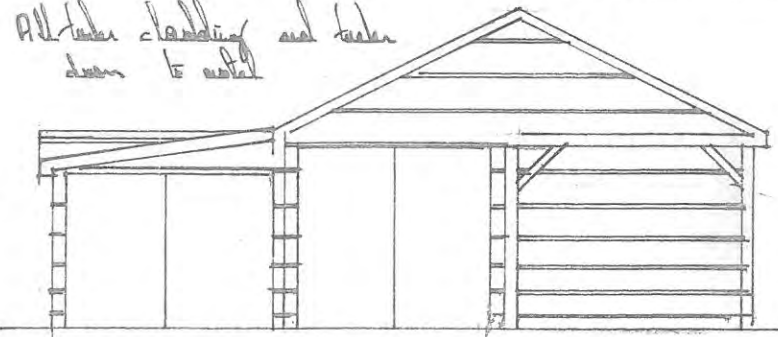
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Photo 7

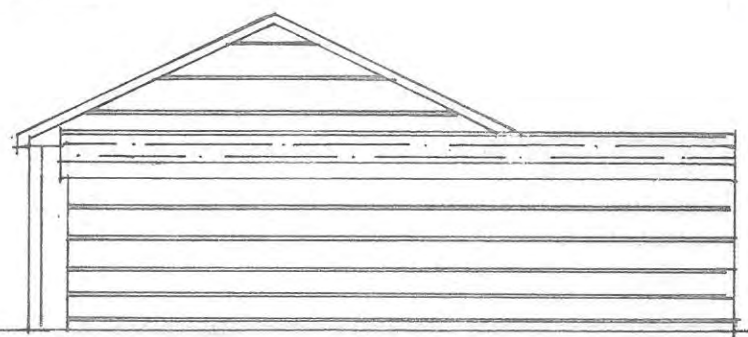




All timber cladding and timber doors to match

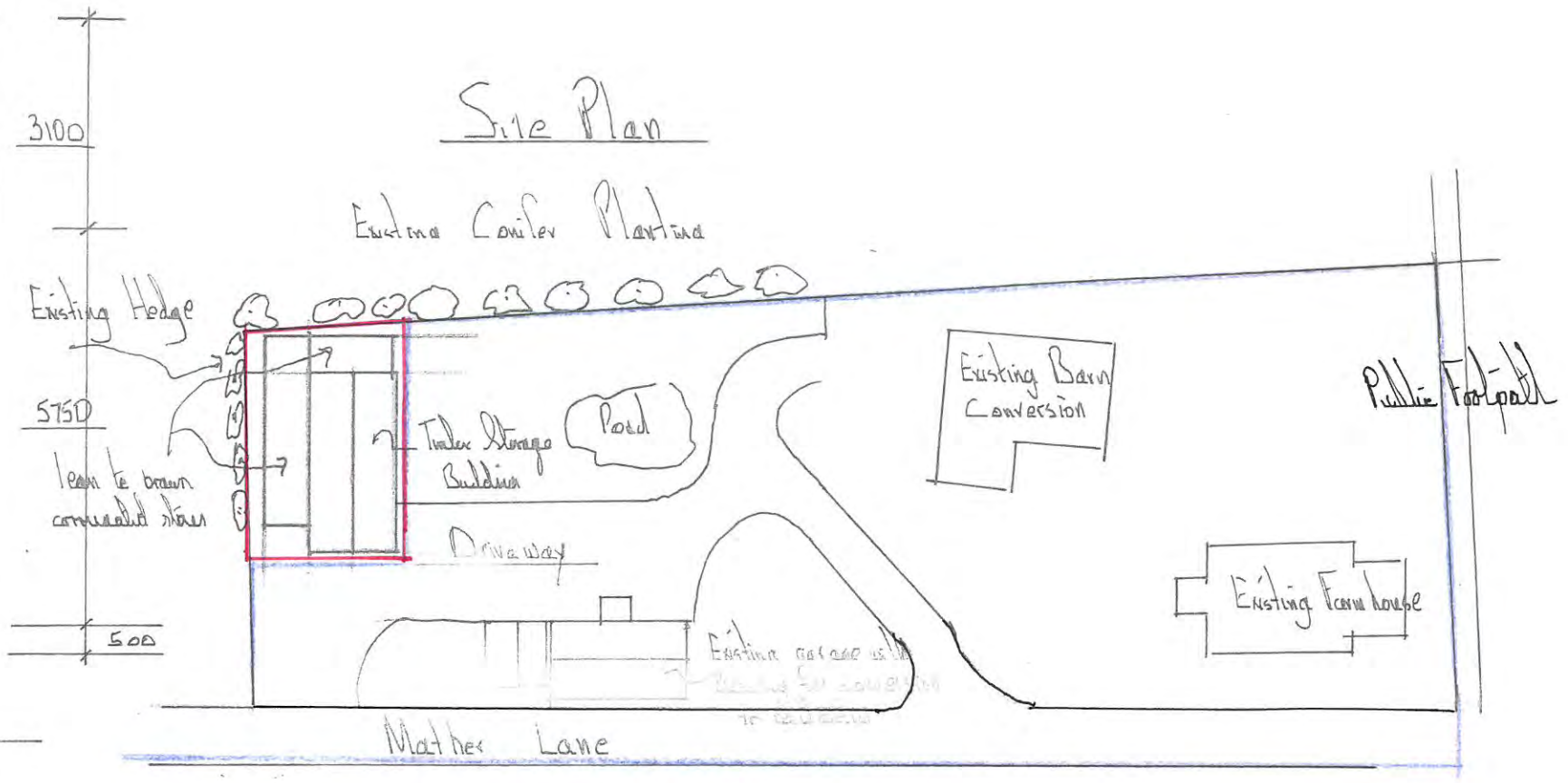


Front Elevation



Rear Elevation

* Total Metrage of Timber *
 * Store is 136.37m² *

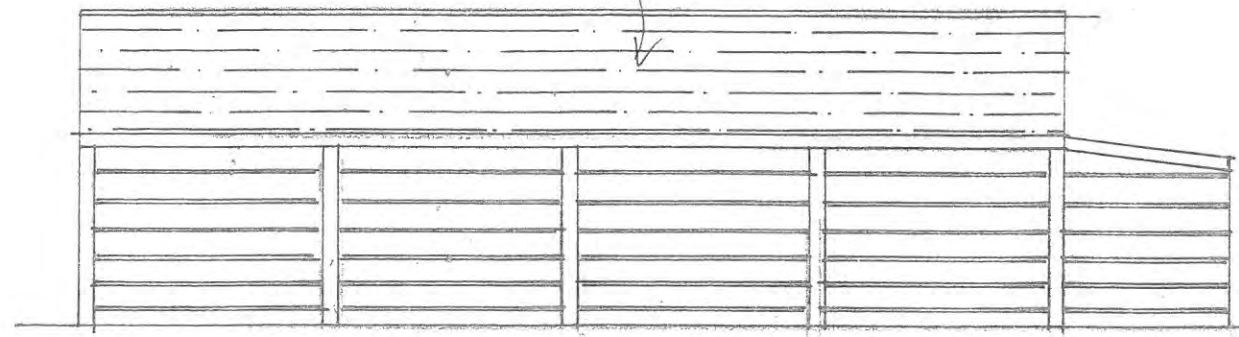


Scale 1:500

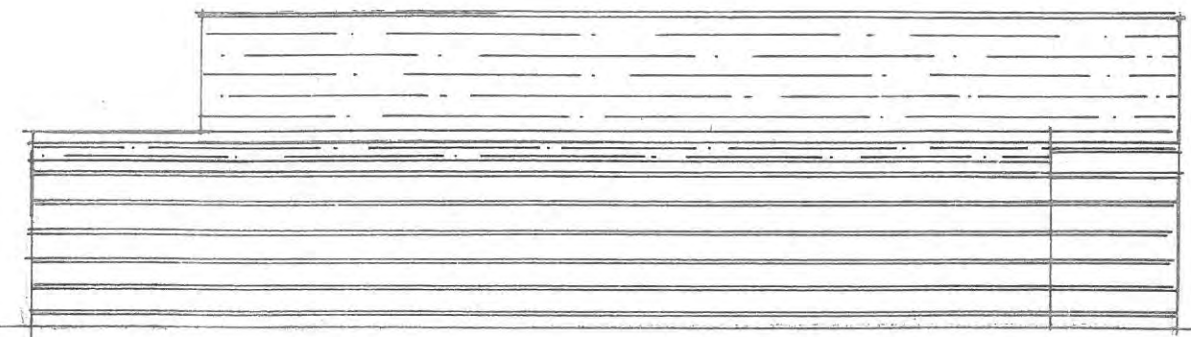
Retention of existing timber store on a permanent basis
 for Mr G Sanders at Davis's Farm Mather Lane Burv
 BL9 6TJ

Scale 1:100

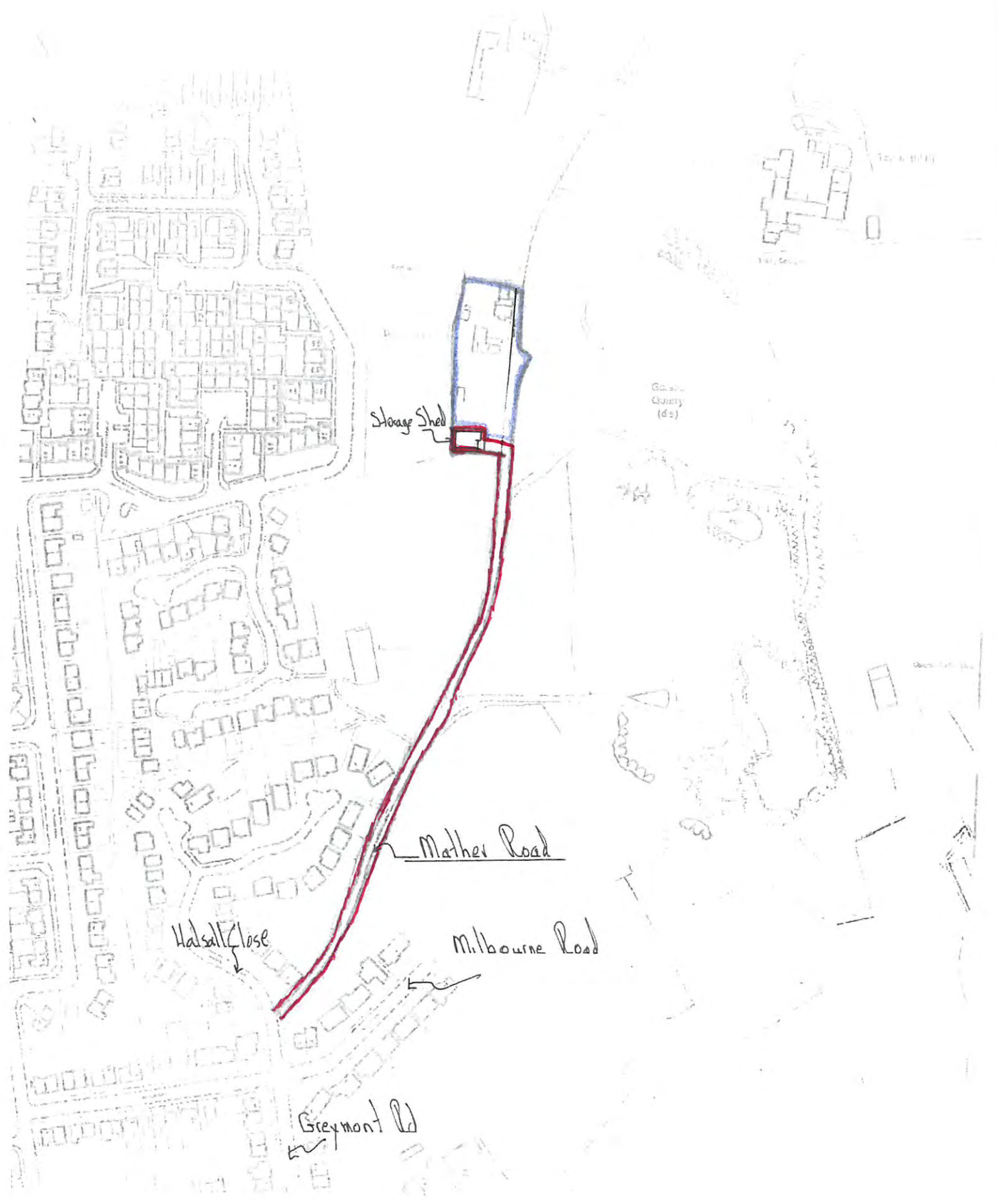
Timber Shingles



Side Elevation



Side Elevation



Scale 1:2500

Ward: Radcliffe - West

Item 04

Applicant: Owl Estates

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

Proposal: Proposed additional dwelling to create a terrace of 5 no. dwellings

Application Ref: 64461/Full

Target Date: 01/11/2019

Recommendation: Approve with Conditions

Description

The application site comprises a single parcel of land, which is located adjacent to Hutchinson Way. The site is grassed and contained mature trees until 2018. The trees were cut down before the original application (62166) was validated. The site is accessed from Hindle Street.

There are residential dwellings to the north of the site and an area of amenity space and an electricity substation to the west. To the east, there is an area of open space (with consent to erect 4 dwellings), two residential properties and a car park and nursery beyond. There are 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.

Planning permission was granted for the erection of 8 dwellings in February 2019. The proposed dwellings will be located in 2 terraces on either side of Hutchinson Way, as per the previous approval. 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.

The proposed development involves the erection of 5 dwellings, which would be 1 over and above the approved scheme. The proposed dwellings would be located in a terrace as per the previous approval. The proposed dwellings would be two storeys in height with rooms in the roofspace. The proposed development would be accessed from Hindle Street and there would be 8 spaces provided.

Relevant Planning History

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

64199 - Erection of 8 no. dwellings at land at Hutchinson Way, Radcliffe. Approved with conditions - 26 February 2019.

Publicity

The neighbouring properties were notified by means on a letter on 6 September 2019.

5 letters have been received from the occupiers of 18 Charter Avenue, 33, 97 Hutchinson

Way, 73 School Street, 19 Mulberry Close, which have raised the following issues:

- The building work is being carried out in bits, which means more noise and dust. Want all the building to be done in one go.
- Object to the building of these houses.
- Increased traffic flow.
- Felling of trees and the decimation of wildlife.
- The impact on parking.
- Existing traffic calming measures are inadequate.
- This is the third application and each time the applicant wants more houses.
- The Council will back down and the builder will get approval.
- If you do give the green light, make sure the company will at least make sure the houses match the surroundings.
- I object to more houses as there is a lack of infrastructure in Radcliffe.
- There would be no improvement to parking to mitigate this.
- Increased traffic would be detrimental to Bury Clean Air plans through increased traffic congestion.
- Parking is inadequate in the area.
- The developer will not take any for an answer - this is my third set of comments and my main objections still apply.
- Please accept that some sites should not be built upon - there are many ex industrial sites nearby.
- The site is cramped and impacts upon the green open vistas and is on what will become a dangerous corner.
- The trees are growing back on the site following the illegal felling of the trees. Were there any sanctions?

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 received.

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 vehicle charging points.

Estates - No response.

United Utilities - No response received,

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

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to nesting birds.

Waste Management - No response received.

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

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 an additional dwelling compared to that which was previously approved. The proposed dwelling would be located at the end of a terrace of 5 dwellings, which 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 30.2 metres between the front elevation of the proposed terrace and the front elevation of the approved block 2. This distance would be in excess of the minimum 20 metre aspect. There would be a minimum of 7 metres from the rear elevation of the proposed terrace of dwellings to the boundary of the rear gardens, which would comply with the aspect standards.

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 England, 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 the proposed development would be located in a single area to the north of the proposed dwellings and would be accessed from Hindle Street. There would be appropriate levels of visibility at these junctions.

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 27 parking spaces.

The proposed site plan indicates that 8 spaces would be provided for the proposed dwellings. 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 18 July 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 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

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 potential 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.

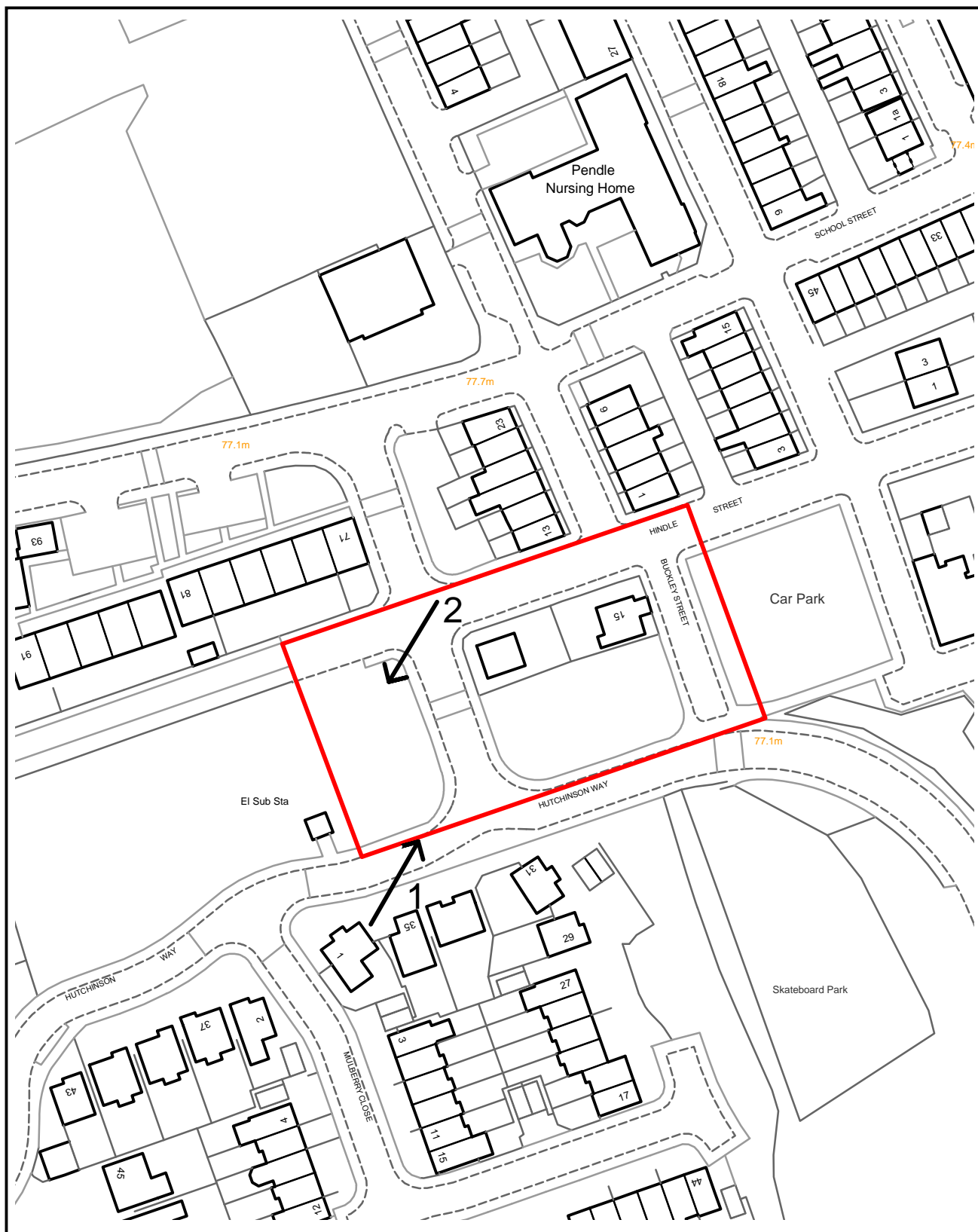
Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers and would not impact upon visibility and highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design

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

Viewpoints



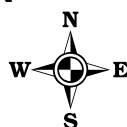
PLANNING APPLICATION LOCATION PLAN

APP. NO 64461

**ADDRESS: Land at Hutchinson Way
Radcliffe**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL





64461

Photo 1



Photo 2



	block 2
	garden
	block 1
	Paving within development

ALL DRAINAGE
TO EXISTING
PUBLIC SEWER

NORTH

LOCATION OF
ADDITIONAL DWELLING

PROPOSED LOCATION OF
PARKING SPACES

Landscaping/Shrubs and
2m timber fence
separating boundary to
carpark and new dwelling

34 METRE DISTANCE FROM FROM
TRAFFIC CROSSING POINT

25M VISIBILITY SPLAY BASED ON SPEED LIMIT

35 METRE CARRIAGEWAY DISTANCE BETWEEN END OF VISIBILITY
REQUIREMENTS AND COLLISION POINTS ON CARRIAGEWAY.

PROPOSED RELOCATION OF PARKING SPACES

FOOTWAY AMENDED TO
ACCOMMODATE PARKING SPACES

HUTCHINSON WAY

25M VISIBILITY SPLAY BASED ON SPEED LIMIT

SITE PLAN: 1:200 ON A0
PAPER
ADDITIONAL DWELLING TO
DEVELOPMENT AT LAND
OF BUCKLEY STREET
RADCLIFFE

BARRY CULLEN
ARCHITECTURE
email: barycullen_bc@yahoo.co.uk
mob: 07851262695

FRONT
ELEVATION
block 1



FRONT
ELEVATION
block 1

FINISHES
WINDOWS/DOORS: UPVC
WALLS: RED BRICK
ROOF: TILES BLACK
WINDOW HEADS
/JOINS: SANDSTONE
GUTTERING: UPVC
BOUNDARY: AS PER SITE
PLANELEVATIONS

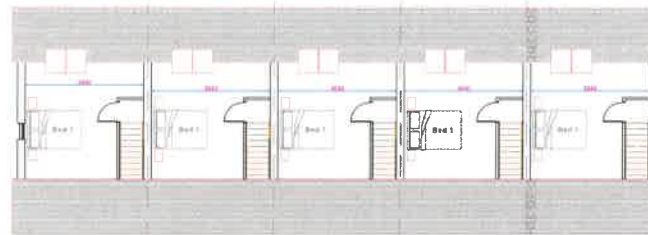
Proposed
Additional
Dwelling



REAR
ELEVATION
block 1



SIDE
ELEVATION



LOFT
BLOCK 1 & 2



FIRST
BLOCK 1 & 2



GROUND
BLOCK 1 & 2

NOTES

REVISIONS

PROJECT: HOUSING DEVELOPMENT
RATCLIFFE

CLIENT: ZAF

SCALE: 1:100 ON A1 PAPER

REFERENCE NO: 1083 PROPOSED

BARRY CULLEN
ARCHITECTURE
email: barrycullen_bc@yahoo.co.uk
mob: 07851262695

Ward: Prestwich - Sedgley

Item 05

Applicant: Mr Kahn

Location: 45 Bury Old Road, Prestwich, Manchester, M25 0EY

Proposal: Variation of conditions no.2 (approved plans) and no.3 (materials) of planning permission 62557 for extensions and change of use to existing dwelling to form a post graduate study centre (Class D1) and formation of new vehicular access from Kings Road. Changes are:
External alterations to include a render finish to front, render and coursed stone to side and part of rear, changes to windows on front and side elevations and minor internal layout modifications.

Application Ref: 64493/Full

Target Date: 27/09/2019

Recommendation: Approve with Conditions

Description

The application follows the approval in May 2018 of the change of use and extension to the property to form a Jewish study centre, known as a 'Kollel'. This application proposes external alterations to the elevations and minor internal layout changes.

The site comprises a two storey semi-detached dwellinghouse on the corner of Bury New Road and Kings Road. The existing access onto the driveway in the north east corner of the site. The site is bounded to the south side, to the rear and to the east and across Bury New Road by houses. To the north, across Kings Road is a row of shops forming the Neighbourhood Centre.

The Kollel Heichal Hatorah is an institute for Post Graduate Rabbinical Study established some 15 years ago and has operated out of rented accommodation elsewhere.

The approved scheme (62557), the details of which are attached at the end of this report, involved:

- Extending the building to the side and rear in the form of a part two storey/part single storey extension.
- Formation of a study hall on the ground floor and library and office above.

The amended scheme, subject to this application, proposes:

- Formation of a second bay window on the front elevation,
- Render to front elevation with a stone render to side,
- Creation of an entrance porch and the reconfiguration of windows on the side extension.
- Render with a stone feature to the base.
- Internal changes on the ground floor include extending the study room to the rear and locating toilets and cloakroom.
- On the upper floor the two offices and library would be rearranged with two additional toilets at the rear.

The proposed hours of opening are set out in the application form as follows:

0930 - 1930 Monday to Friday and Sundays and Bank Holidays

0900 - 1300 Saturday

Relevant Planning History

01927/E - Conversion of semi detached dwelling to ground floor study hall and first floor flat - Enquiry completed 13/12/2016

60323 - Extension to existing dwelling to form ground floor self contained flat for 3 persons and first floors to be used as post - graduate study centre - Refused 24/08/2016

61022 - Extension and change of use to existing dwelling to form a mixed use comprising first floor self contained flat (Class C3) with post graduate study centre on ground floor (Class D1); Formation of new vehicular access from Kings Road. - Refused 28/03/2017

62557 - Extensions and change of use to existing dwelling to form a post graduate study centre (Class D1); Formation of new vehicular access from Kings Road - Approved 23/05/2018

Publicity

The following 55 neighbours were notified by letter dated 12/03/18. Nos.121, 122, 123, 126, 128, 130 Kings Road, 2 East Meade, 2 - 12(even) Delcot Close, 31, 32, 33, 34, 35, 36, 37, 39, 41, 43, 46, 47, 48, 49, 50, 51, 52, 53, 55, Bury Old Road, 1, 2, 3 Castle Hill Road, 125-141(odd) Albert Avenue, 1 and 3 Danesway,

Three objections have been received from the occupiers of 41, 55 and 55A Bury Old Road and are summarised below:

- Increased parking problems due to numbers of students/teachers attending the centre. The problem will spill over onto the adjacent shopping centre, making the limited 'customer' parking totally extinct.
- We oppose the application, unless the council also implements a far more rigorous and monitored parking scheme for our road.

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

Statutory/Non-Statutory Consultations

N/A.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
CF2	Education Land and Buildings
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework
CF1/1	Location of New Community Facilities
EN7/2	Noise Pollution
H3/1	Assessing Non-Conforming Uses

Issues and Analysis

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

Use. As the alterations involve changes to elevations and the internal layout, the use of the property as a Jewish post graduate study centre have already been addressed in the previously approved application and are not at issue here.

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

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

Visual amenity. There are a mix of finishes to properties along this part of Bury Old Road, including brick and render. The proposal to render the front elevation, whilst altering the appearance of the property from Bury Old Road, would not be out of keeping with other rendered properties along the road frontage. The additional dormer on the front would mirror the existing and would not appear incongruous.

The render on the side elevation and part of the rear would be acceptable as other properties on Kings Road are also part rendered, including the house immediately to the rear. The creation of a more formal entrance porch with the addition of the coursed stone would 'switch' the emphasis from the Bury Old Road frontage to the Kings Road frontage. In some ways this would make the property more readable as a study centre within the streetscape. The new steel gates and railings along the boundary would be as previously proposed.

The proposed external alterations would not have a seriously detrimental impact on the streetscape and would comply with the NPPF and UDP Policy EN1/2 Townscape and Built Design.

Residential amenity - Issues relating to residential amenity were addressed in the previously approved application through the conditions requiring insulation to party walls and hours of opening attached to the consent. The recommendation here carries the same conditions. As such the proposal complies with the NPPF and UDP Policies EN7/2 Noise Pollution and H3/1 Assessing Non-Conforming Uses and CF2 Education.

Parking and Access - Again access and parking issues were addressed in the previous application. The study centre is generally a local facility and it was considered that the proposal was acceptable subject to the provision of a two parking spaces and a cycle store and the implementation of an effective travel plan - replicated from the previous consent.

Conditions - The conditions attached to the previously approved consent have yet to be discharged and are therefore remain on the decision notice.

Objections - The concerns of the objectors centre around parking which as stated above, were addressed in the previous application and discussed at the Planning Control Committee meeting. This application relates only to external alterations and the minor changes to the internal layout and therefore the concerns of the objectors are not material to this revised scheme.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were

incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to location plan and drawings numbered location plan 001/1, 003/4, 090/2, 091 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 of the finishing materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. Details of finishing materials have not been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 Townscape and Built Design.
4. The sound insulation of the party walls shall be improved in accordance with Building Regulations Approved Document E (2015), the details of which shall be submitted to and approved by the Local Planning Authority and implemented prior to the study centre hereby approved commencing and thereafter maintained.
Reason. Details have not been provided and to reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to NPPF and UDP Policy EN7/2 Noise Pollution.
5. The property shall be used for educational study purposes only and not for community worship or any other use within the D1 use class.
Reason. In the interests of residential amenity pursuant to UDP Policy EN7/2 Noise Pollution.
6. The study centre hereby approved shall not be used outside the following times: 0900hrs to 1930hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies EN7/2 Noise Pollution, H3/1 Assessing Non-Conforming Uses.
7. In relation to the use hereby approved, the measures set out in the Travel Plan to promote more sustainable travel to and from the site by staff and students/visitors and reduce the reliance on private vehicle use, shall be implemented in full and thereafter maintained whilst the study centre is in operation.
Reason. In order to encourage sustainable travel pursuant to NPPF (Section 9) and UDP Policy HT4 New Development.
8. The development hereby approved shall not be brought into use unless and until the vehicular access alterations indicated on approved plan reference M2258 10 Revision B, incorporating the formation of the proposed footway crossing off Kings Road and reinstatement of the redundant footway crossing to adjacent footway levels at the junction with Bury Old Road, have been implemented to an agreed

specification and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to UDP Policy HT2 Highway Network.

9. The turning facilities within the proposed car parking area indicated on approved plan reference M2258 11 Revision C shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to UDP Policy HT2/4 Car Parking and New Development.

10. The car and cycle parking indicated on approved plan reference M2258 11 Revision C shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained at all times.

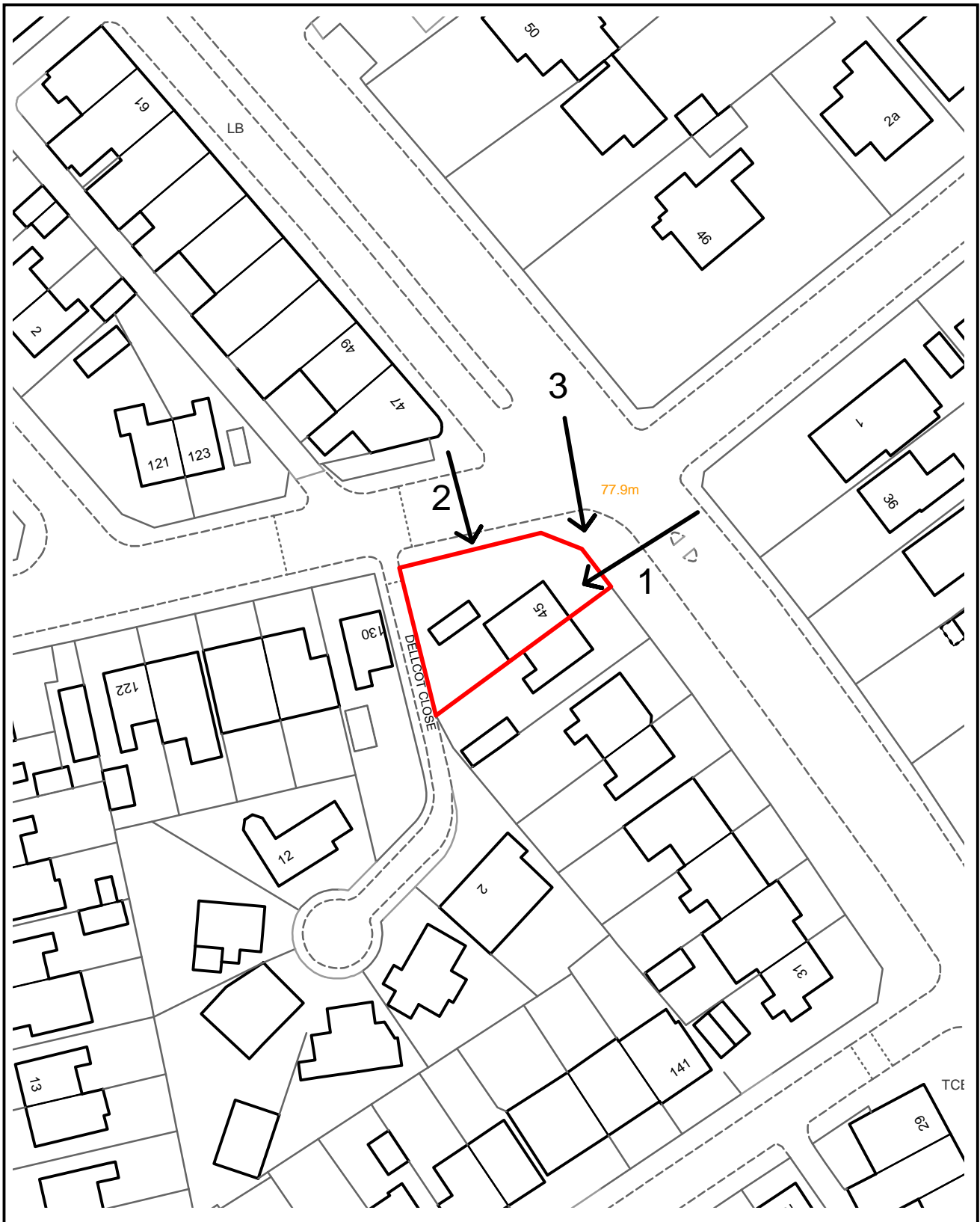
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to UDP Policy HT2/4 Car Parking and New Development.

11. The proposed boundary railings and gates shall be powder coated black.

Reason. In the interests of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64493

**ADDRESS: 45 Bury Old Road
Prestwich**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64493

Photo 1



Photo 2



64493

Photo 3

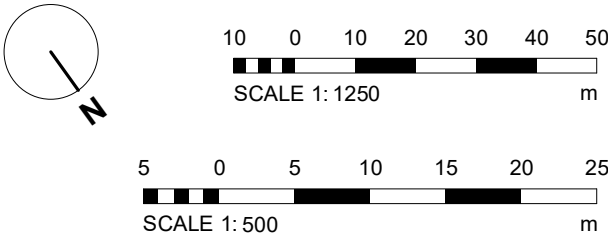
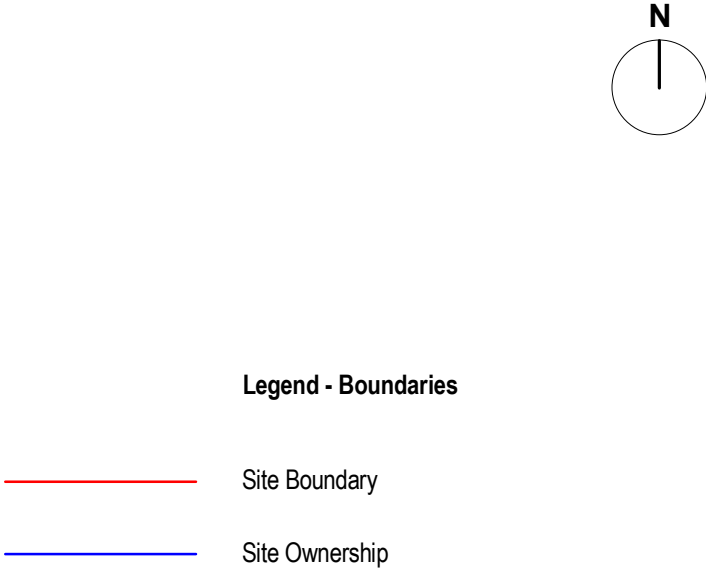




1. Site - Block Plan
1 : 200

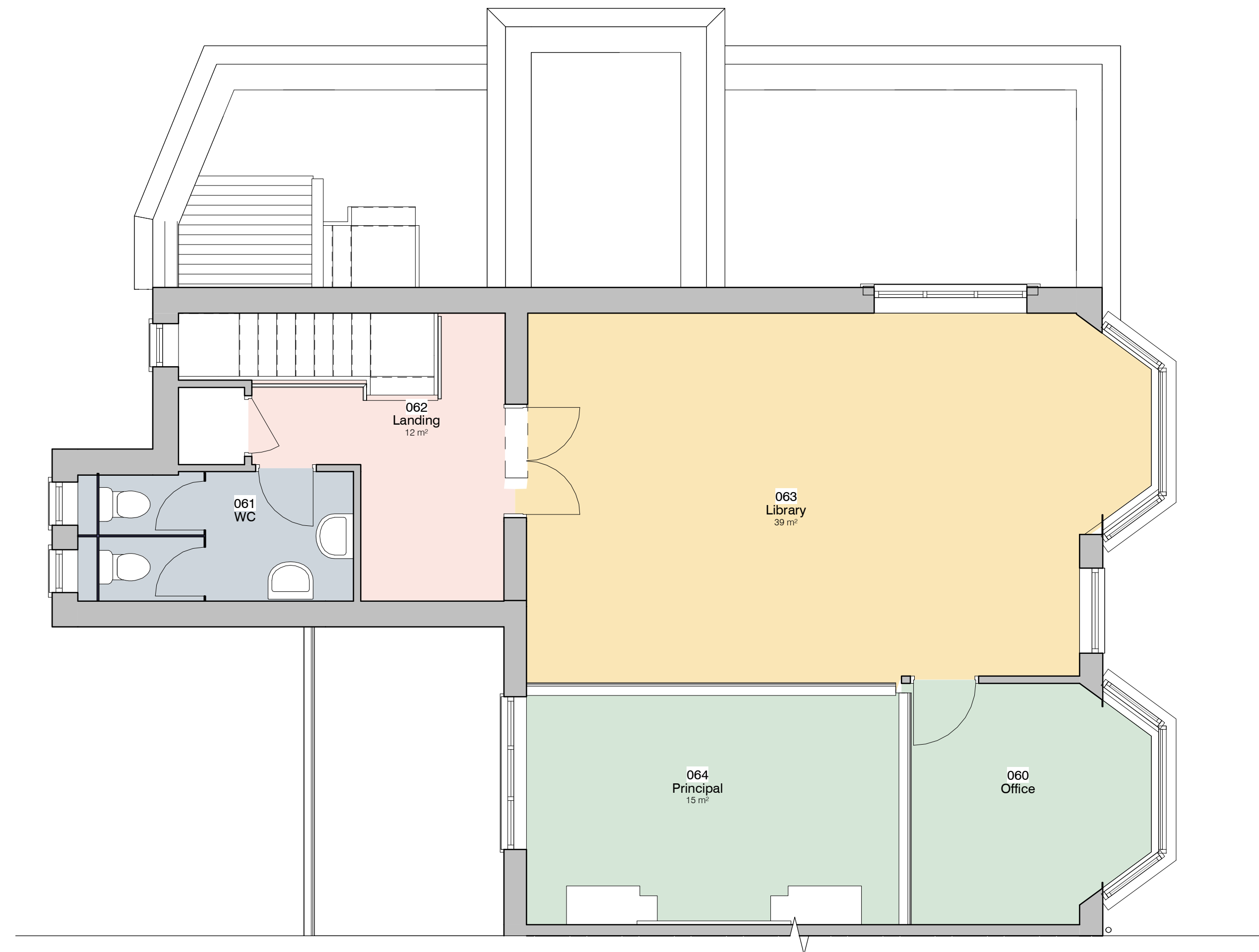
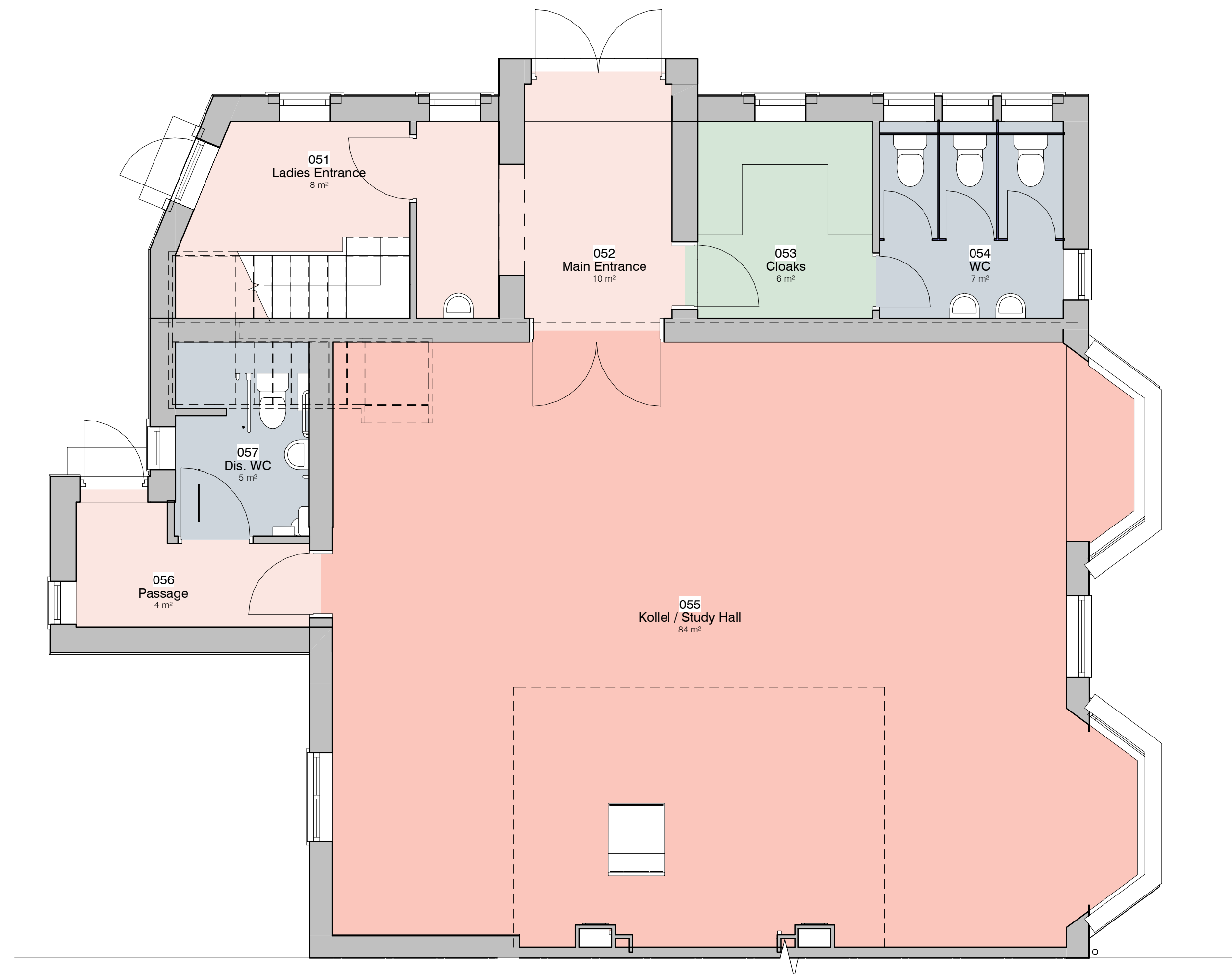
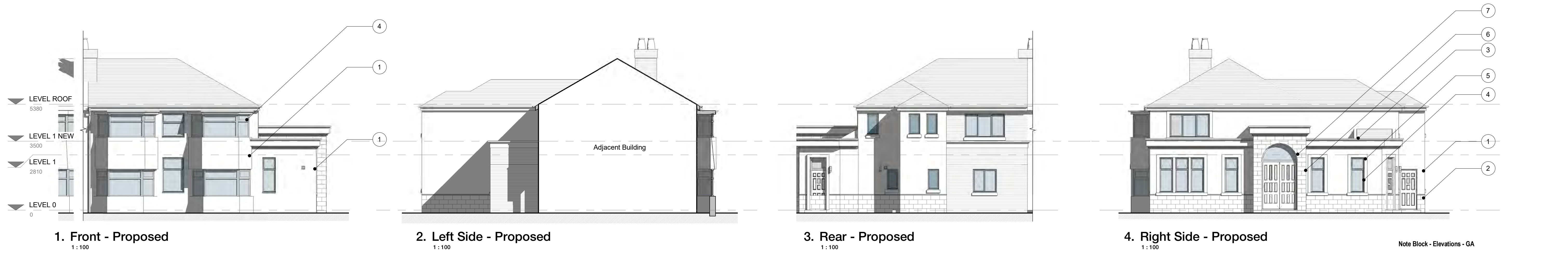


2. Site - Location Plan



PROJECT	1 Planning Status		SP 19/07/19
	REV	DESCRIPTION	BY DATE
45 Bury Old Road	SCALE @ A3	DATE	DRAWN BY
	As indicated	11/19/13	SA
CLIENT	STATUS		
Kollel Heichal Hatorah	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
	DA19064.	001.	1
NOTES			
THIS DRAWING MUST NOT BE REPRODUCED WITHOUT PRIOR WRITTEN CONSENT. DRAWING TO BE USED FOR THE STATUS INDICATED ONLY. ANY DISCREPANCIES TO BE REPORTED TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF ANY WORK. ALL WORK AND MATERIALS TO BE IN ACCORDANCE WITH CURRENT STATUTORY LEGISLATION, RELEVANT CODES OF PRACTICE AND BRITISH STANDARDS. ALL DIMENSIONS ON THIS DRAWING ARE IN MILLIMETRES (UNLESS OTHERWISE STATED).			





PROJECT	45 Bury Old Road	SCALE & A1	DATE	5 June 2019	DRAWN BY	SA
CLIENT	Kollel Heichal Hatorah	STATUS	Planning			
TITLE	Proposed GA Plans and Elevations	PROJECT NO.	DA19064.	DRAWING NO.	003.	REV.
						4
NOTES						THIS DRAWING MUST NOT BE REPRODUCED WITHOUT WRITTEN CONSENT OF DEBTAL ARCHITECTURE. ALL DIMENSIONS AND MATERIALS TO BE USED FOR THE CONSTRUCTION OF THE BUILDING SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING REGULATIONS AND STANDARDS. ALL DIMENSIONS AND MATERIALS TO BE USED FOR THE CONSTRUCTION OF THE BUILDING SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING REGULATIONS AND STANDARDS. ALL DIMENSIONS AND MATERIALS TO BE USED FOR THE CONSTRUCTION OF THE BUILDING SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING REGULATIONS AND STANDARDS.

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PROJECT

45 Bury Old Road

CLIENT

Koliel Heichal Hatorah

SCALE @ A3

DATE

18 July 2019

DRAWN BY

SP

STATUS

Planning

TITLE

Perspective Views - Proposed Front

PROJECT NO.

DA19064.

DRAWING NO.

090.

REV.

2

2
1
REV

Planning Elevations Amendments
Planning Status
DESCRIPTION

SP 19/09/19
SP 19/07/19
BY DATE

DA

DEBTAL | ARCHITECTURE

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E: OFFICE@DEBTAL.CO.UK

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72 BURY NEW ROAD, MANCHESTER, M25 0JU

Ward: Bury East - Moorside

Item 06

Applicant: Mrs Hilary Singleton

Location: 1-3 Haslam Street, Bury, BL9 6EQ

Proposal: Change of use from shop (Class A1) to mixed use comprising of hairdressers/restaurant/cafe/bar/tattoo studio with storage at rear (Classes A1/A3/A4/B8/Sui Generis); Alterations to shop front with timber cladding

Application Ref: 64603/Full

Target Date: 28/11/2019

Recommendation: Approve with Conditions

Description

The application relates to an end terraced property, that has previously operated as a shop and hairdressers on the ground floor. The property immediately attached to the site is a two storey terraced dwelling house. An area of protected recreation provision and a highway directly faces the site however there is a row of terraced dwellings immediately adjacent to this area and a detached dwelling is also located to the south of the site separated from the proposal by a further highway. Residential properties are also located to the rear of the site, again separated from the proposal site by a highway.

Planning permission is sought for a mixed use of the site, separating the existing unit into separate planning uses and alterations to the existing shop front. On the ground floor it is proposed to retain partial A1 use with a hairdressers located immediately adjacent to the attached dwelling house. The hairdressers would have a glazed window, with stallriser to the front elevation and an entrance door from Haslam Street.

A4/A3 Cafe/restaurant use is also proposed on the ground floor with a kitchen area to the rear of this unit. The proposed A3/A4 unit would retain a frontage and entrance/exit onto Haslam Street. The proposed external seating area to the front of this unit has been removed from the application and as such is not under consideration. The hours of opening for this unit are 0700-2200 Sunday - Thursday and 0700-2300 Friday - Saturday.

To the rear of the ground floor, the applicants seeks B8 storage use, accessed from Back Haslam Street. To the first floor the applicant seeks a change of use to Sui Generis tattoo studio, with access gained to this unit via a ground floor front entrance. This unit would include a tattoo studio, and separate waiting area. Timber cladding is proposed to the front elevation of the site with a glazed door and window with stallriser relating to the A1 element, a full height door and window relating to the A3/A4 element and central access door relating to the Sui Generis unit.

The application is partially retrospective with the A1 hairdresser use and Sui Generis tattoo studio already in place. An advert application for the related units will be submitted separately.

Relevant Planning History

None

Publicity

Immediate neighbours notified by letter on the 04/10/2019. 13 objections received from Cllr Walmsley, No. 11, 15, 8, and 2 Haslam Street, No. 21 Greenbrook Street, No. 116 Chesham Road, No. 25 and 40 Oram Street, No. 63 Parr Lane, No. 62 Brookshaw Street,

No. 20 Back Chesham Road South in relation to:

- Do not want a cafe/bar/restaurant a few doors from home.
- Haslam Street already struggles with parking - blocking cars in, parking over corners, creating blind spots.
- People speed up and down the road.
- Concerns that cafe/bistro will encourage anti-social behaviour and upset families with children.
- Accepted the hairdressers even though this has contributed to parking issues.
- Built up industrial area with parking issues due to houses having 1 - 3 cars each.
- Two existing businesses already impact on parking situation.
- Now already having two of the stated businesses open for several months (obviously no planning consent as yet ?) it has proved to impact on the parking situation regarding customers parking.
- Traffic as you can understand is extremely congested and will be exasperated with three more shops. Has only ever been one shop in one building providing one service, now it will be four or five shops.
- Alcohol related anti-social behaviour
- Late night traffic and customer noise of bar open until 2am.
- Noise when people leave the bar at closing time disrupting the street.
- Outdoor seating area and noise levels from the bar.
- Having a bar serving alcohol in a residential area is highly inappropriate.
- Increase in cars going to the shop, hairdressers and tattooist and cafe.
- Position of shop is such then when cars are parked it causes a blind spot on the corner of the road for oncoming vehicles.
- Likely to cause issues for the bus route.
- It's a nice quiet street so it just wouldn't be good.
- I hope people's views are actually taken into consideration here.
- This would be the worst thing to have over the road from me!
- The grassed area opposite is used as a play area by many of the local children and I don't think that having a bar with outdoor seating alongside the additional traffic this will bring is conducive to the setting.

Comments received from 21 Haslam Street and 10 Haslam Street in relation to:

- Parking.
- Children playing on grass verge opposite could be in danger due to the additional traffic.
- Opening hours need to be respectful of neighbours especially if in summer months an outside seating area is proposed.
- Properties in question have already been altered.

Statutory/Non-Statutory Consultations

Traffic Section - Recommend conditions in relation to revised arrangements confirming that doors to the property do not open out into the adopted highway, and that the internal bin storage and roller shutter door are made available for use prior to the uses hereby approved commencing.

Drainage Section - No response received any comments to be reported in the supplementary.

Environmental Health - Commercial Section - No response received. Any comments to be reported in the supplementary

Environmental Health - Pollution Control - Originally objected to A4 use however confirmed that amended opening times are more acceptable.

Waste Management - No response received. Any comments to be reported in the supplementary.

Planning Policy Manager - No response received. Any comments to be reported in the supplementary.

Pre-start Conditions - Agreed by applicant

Unitary Development Plan and Policies

S2/4 Control of Non-Retail Uses in All Other Areas

S2/6	Food and Drink
EC4/1	Small Businesses
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
HT6/1	Pedestrian and Cyclist Movement
HT2/4	Car Parking and New Development

Issues and Analysis

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

Policy

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

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

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

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

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

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.

Use

The ground floor of the site appears to have established A1 use with a hairdressers having previously occupied the ground floor. Whilst the unit appears to have been vacant for some time the applicant can implement A1 use for the entire ground floor if they so wish without the need for planning permission. The hairdresser unit shown on the submitted plans is therefore considered to be acceptable.

The proposed Cafe/bar/restaurant use has not yet been implemented. It should be noted

that the applicant could apply for a temporary change of use to A3 food and drink for a restaurant and cafe use for 3 years provided they notify the Local Planning Authority prior to opening, and this could utilise the entire ground floor of the existing unit. Use Class A3 establishments are authorised for the sale of food or drink for the consumption on the premises or of hot food for consumption off the premises. This temporary change of use would not include any restrictions on opening hours, and the applicant would still be able to apply for a licence to serve alcohol on the premises outside of the planning application process.

The proposal for A3/A4 use would retain a display window, and would not result in an over concentration of grouping of uses. The unit would equate to approximately 38 square metres in footprint, with approximately 30 square metres being utilised for customers and is therefore considered to be an appropriate scale when viewed in the context of the remaining floor space within the unit. The application submitted seeks to restrict opening hours to 10pm Sunday to Thursday and 11pm on Friday and Saturday and the use has been sited away from the party wall with the directly attached property limiting the impact in terms of residential amenity.

Whilst the proposal is located within a predominantly residential area, however there are a mix of commercial uses within the immediate vicinity and the site does already have A1 use. As such it is considered that there would be an existing amount of noise and disturbance associated with the site already. Taking into consideration the fall back position that the applicant could utilise the entire ground floor for A3 use, it is considered that the limited floor space, the location of the unit and the amended opening hours are acceptable and the mixed A3/A4 use would comply with UDP Policy S2/4.

The Sui Generis use is sought for the first floor tattoo parlour. Tattoo parlours are commonly seen within retail areas and with daytime opening, it would not detract from the vitality or viability of the proposed ground floor uses. Although small scale with only one tattoo artist currently in residence the location of the new business is acceptable and is considered to comply with the NPPF and UDP Policy EC4/1.

The proposed B8 storage to the rear of the ground floor is proposed to be primarily used by the onsite businesses for storage of materials and stock however the applicant has stated that if the entire space was not required they would consider lease to a third party. No contaminants or flammable items would be allowed to be stored and all storage would be contained within the building only. The B8 use appears to be a subsidiary and ancillary element to the main uses on site and therefore would not conflict with UDP Policy EC4/1.

Visual Amenity

Policy EN1/2 seeks to ensure that proposals do not have an adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Policy EN1/8 further seeks to ensure that proposals for new and altered shop front properly respect the architectural elements of the building and the character of the surrounding street scene.

The proposed window and door openings to the front elevation are suitably aligned. The timber cladding to the front elevation has vertical elements to each end, recreating a traditional pilaster look but ensuring that the quoin detailing of the original property is retained. The proposed signage areas above the doorways is considered to be acceptable in scale and the use of masonry paint underneath the cladding helps to anchor the cladding to the building.

In this instance it is considered that the works proposed would comply with UDP Policies EN1/8 and EN1/2.

Residential Amenity

There are residential properties to the side, rear and front of the site.

The A3 and A4 use is relatively modest in scale and with opening hours proposed until 10pm Sunday to Thursday and 11pm on Friday and Saturday. There are no serious residential amenity issues relating to the proposal and the proposed opening hours have been significantly reduced from those originally proposed (2am). The applicant has removed the proposed outdoor seating area from the proposal. If noise and disturbance issues do arise there are existing controls under environmental health legislation and licensing that can be utilised.

Given that the A1, B8 and Sui Generis uses are adjacent to the attached dwelling, more restrictive opening hours, from 8am to 6pm, are considered appropriate to protect neighbour amenity. The proposal is acceptable and complies with UDP Policies S2/4, EN7/2 and EC4/1 in relation to residential amenity.

Bin Storage and Servicing

Bins are proposed to be stored within the proposed storage area to the rear of the unit, rather than on the adopted highway and this is considered to be acceptable. It is considered that the proposal is considered to comply with UDP Policy S2/6 in this respect.

Highways

There is no on-site parking however there are no parking restrictions within the immediate street. It is considered that the proposed A3/A4 use with restricted hours, Sui Generis Use and B8 Use would not cause significantly more problems than the A1 shop use that the premises currently has and may even generate less traffic.

As such, in this locality and given the existing situation, the proposal is considered to be acceptable and complies with Policy S2/6 - Food and Drink and Policy HT2/4 - Car Parking and New Development.

Response to Objections

It is considered that the impact of the proposal on residential amenity and parking has been assessed above. The proposed opening hours have been restricted by condition. If noise and disturbance issues do arise there are existing controls under environmental health legislation and licensing

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 numbered Location Plan received 21st August 2019, Site plan 0000-0001, Existing ground floor plan 0000-0002 received 13th September 2019, Proposed first floor plan 0000-0005 received on the 29th October 2019, Proposed ground floor plan 0000-0004 and Proposed elevations 0000-0006 received on the 4th November 2019 and the development shall not be

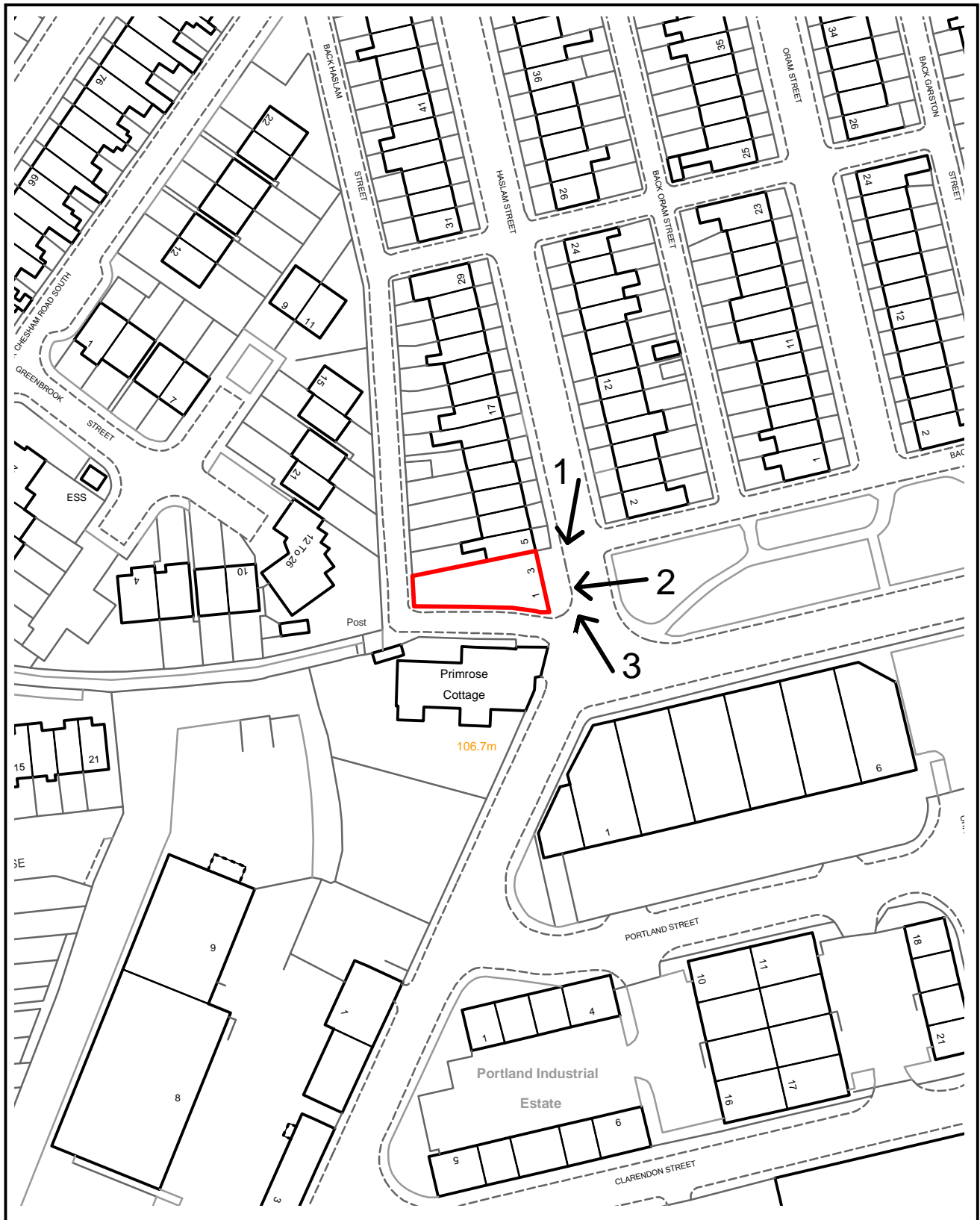
carried out except in accordance with the drawings hereby approved.

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. The cafe/restaurant/bar hereby permitted shall not be open to customers outside the following times:
0700hrs to 2200hrs Sunday to Thursday
0700hrs to 2300hrs Friday to Saturday
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.
4. The ground floor hair salon, ground floor storage and first floor tattoo studio hereby permitted shall not be open to customers outside the following times:
0800hrs to 1800hrs daily
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policy EN7/2 Noise Pollution.
5. The internal bin storage arrangements and roller shutter door indicated on approved plan reference 0004 - Proposed ground floor plan received 4th November 2019 shall be made available for use prior to the uses hereby approved commencing and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
6. No development shall commence unless and until revised arrangements are submitted to and approved by the Local Planning Authority confirming that any doors to the property do not open out into the adopted highway as indicated on approved plan reference 0004 received 4th November 2019.
Reason. To ensure compliance with the requirements of Section 153 of the Highways Act 1980, in the interests of pedestrian safety pursuant to UDP Policy HT6/1 - Pedestrian and Cyclist Movement.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64603

**ADDRESS: 1-3 Haslam Street
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64603

Photo 1



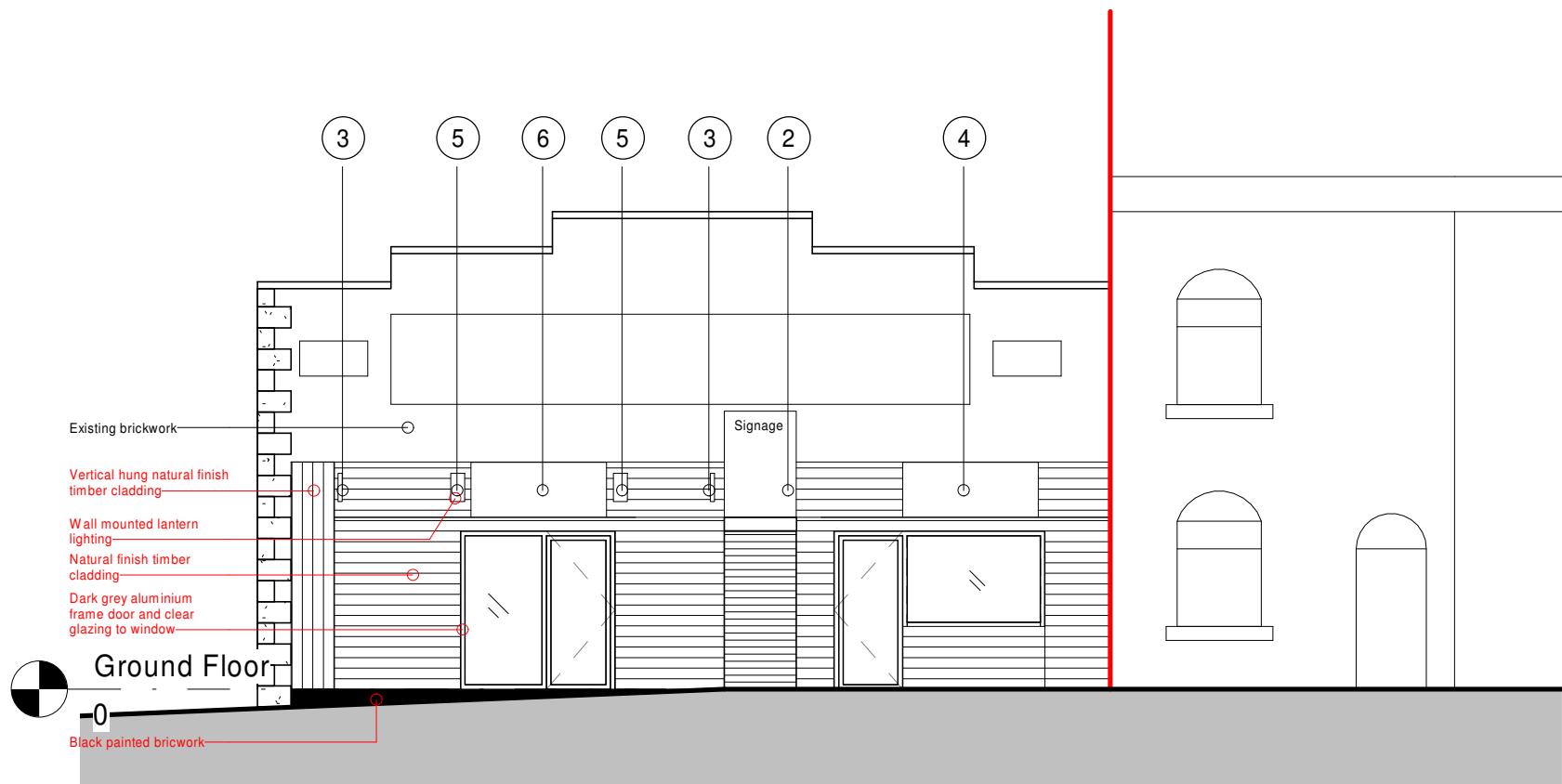
Photo 2



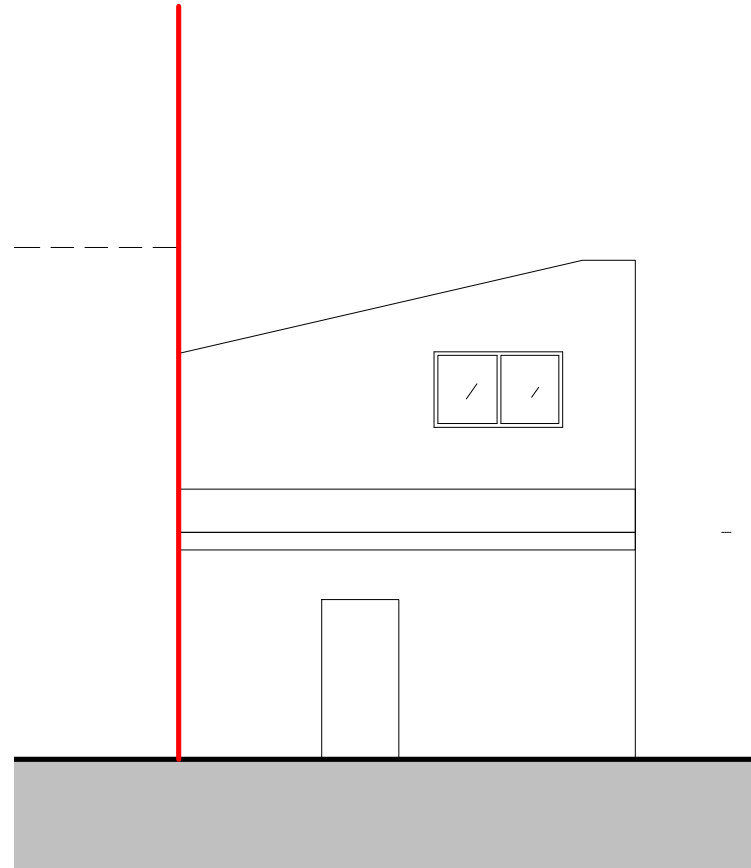
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Photo 3

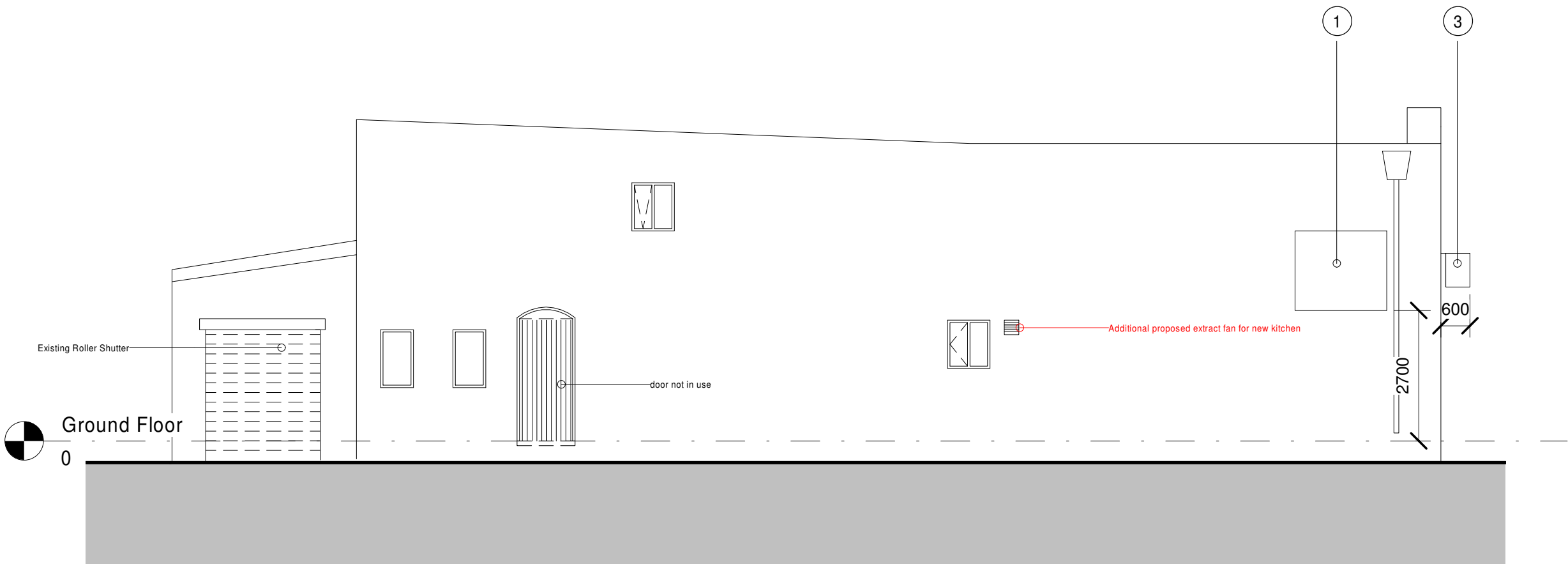




1 East Elevation 1 100



2 West Elevation 1 100



3 South Elevation 1 100

Notes

1. Do not scale this drawing.
2. All dimensions must be checked on site and any discrepancies verified with the architect.
3. Unless shown otherwise, all dimensions are to structural surfaces.
4. Drawing to be read with all other issued information. Any discrepancies to be brought to the attention of the architect.
5. This drawing is the copyright of Unity Builders Ltd and may not be copied, altered or reproduced in any form, or passed to a third party without license or written consent.

This is not a construction drawing, it is unsuitable for the purpose of construction and must on no account be used as such.



Proposed changes to elavations labelled in red

Signage 1 - 6

Rev	Date	Description	Initials
Project name			
1-3 Haslam Street			
Restaurant / Cafe			
Drawing number		Rev	
0000 - 0006			
Drawing			
Elevations			
Purpose of issue		Date	
		09/10/15	
Scale			
1 : 100 @ A3			
Client			
-			



- Notes**
1. Do not scale this drawing.
 2. All dimensions must be checked on site and any discrepancies verified with the architect.
 3. Unless shown otherwise, all dimensions are to structural surfaces.
 4. Drawing to be read with all other issued information. Any discrepancies to be brought to the attention of the architect.
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— Site Boundary Line

Rev	Date	Description	Initials
Project name			
1-3 Haslam Street			
Restaurant / Cafe			
Drawing number			Rev
0000 - 0004			
Drawing			
Proposed Ground Floor Plan			
Purpose of issue			Date
			09/10/19
Scale			
As indicated @ A3			
Client			
-			

Notes

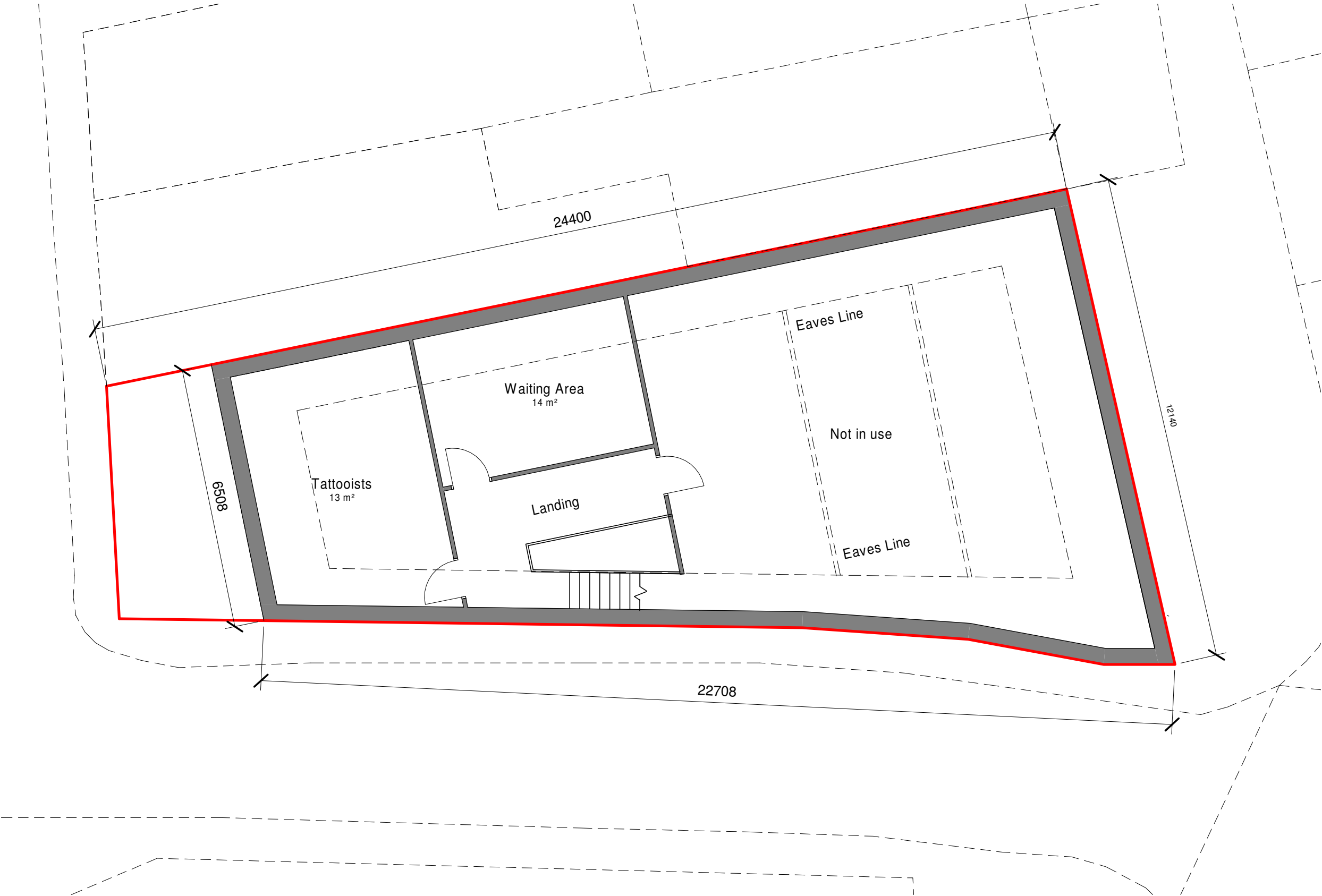
1. Do not scale this drawing.
2. All dimensions must be checked on site and any discrepancies verified with the architect.
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Site Boundary Line

This First Floor Plan is submitted for reference - no change between existing and proposed arrangement



Rev	Date	Description	Initials
-----	------	-------------	----------

Project name			
--------------	--	--	--

1-3 Haslam Street

Restaurant / Cafe

Drawing number	Rev
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0000 - 0005

Drawing

Proposed First Floor Plan

Purpose of issue	Date
------------------	------

09/10/19

Scale

As indicated @ A3

Client

-



Notes

- 1. Do not scale this drawing.
- 2. All dimensions must be checked on site and any discrepancies verified with the architect.
- 3. Unless shown otherwise, all dimensions are to structural surfaces.
- 4. Drawing to be read with all other issued information. Any discrepancies to be brought to the attention of the architect.
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This is not a construction drawing, it is unsuitable for the purpose of construction and must on no account be used as such.



Site Boundary Line

Rev	Date	Description	Initials
Project name			
1-3 Haslam Street			
Restaurant / Cafe			
Drawing number		Rev	
0000 - 0001			
Drawing			
Site Plan			
Purpose of issue		Date	
-		09/10/19	
Scale			
As indicated @ A3			
Client			
-			

Ward: Radcliffe - East

Item 07

Applicant: Ms Victoria Foster

Location: Land at side of 35 Greenbank Road, Radcliffe, Manchester, M26 4FR

Proposal: Erection of 1 no. dwelling

Application Ref: 64708/Full

Target Date: 26/11/2019

Recommendation: Approve with Conditions

Description

The application relates to an area of land to the side of No. 35 Greenbank Road, Radcliffe that currently makes up part of the garden of this property. The site is bounded by residential properties to the north and west, allotments to the east and an area of protected recreation land to the south.

Planning permission is sought for the construction of a two storey detached dwelling, to the side of No. 35 utilising part of the garden for this property. The property would front Greenbank Road, with garden areas located to the rear and the side of the property. A driveway for 2 vehicles would be located to the side of the property.

Relevant Planning History

02325/E - Detached dwelling in side garden - Enquiry completed 02/08/2019

55560 - Boundary wall at side (retrospective) - Refused 09/10/2012

55812 - Boundary wall at side (revised scheme) - Approve with Conditions 17/12/2012

Publicity

Neighbour letters sent 01/10/2019. Objections received from No. 69 Greenbank Road and 4 and 5 Meadowside Close:

- cars parked at existing house park on this area of land or on the road
- cars parked on the road create a visibility issues on a blind bend
- allotments adjacent already cause parking issues
- is the extra building to sell the cars?
- grassed area adjacent is regularly used by children and dog walkers
- only access to the East Lancashire Crematorium
- traffic flies up and down the road and there are no speed calming options at this junction
- congestion

Statutory/Non-Statutory Consultations

Traffic Section - Request for conditions requiring additional information in relation to boundaries, and visibility splays. Condition requiring a construction traffic management plan also requested.

Drainage Section - Any response to be reported in the supplementary

Environmental Health - Contaminated Land - due to sensitive end use of the site conditions required in relation to the submission of a risk assessment, site investigation, details risk assessment and remediation strategy and for the implementation of the required strategy and a site verification report.

Condition requested in relation to the provision of EV charging points.

Waste Management - Any response to be reported in the supplementary.

United Utilities (Water and waste) - drainage scheme should be in accordance with the surface water hierarchy

The Coal Authority - Standing advice within the informative acceptable.

Greater Manchester Ecology Unit - Accepted that reasonable avoidance measures statement for great crested newts was adequate.

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

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/2	The Layout of New Residential Development
H2/1	The Form of New Residential Development
H2/6	Garden and Backland Development
HT2/4	Car Parking and New Development
EN1/2	Townscape and Built Design
HT6/2	Pedestrian/Vehicular Conflict
EN8/2	Woodland and Tree Planting
EN5/1	New Development and Flood Risk
EN7/3	Water Pollution
EN7/5	Waste Water Management
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Policy

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for housing development, including 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.

Policy H2/2 - The Layout of New Residential Development seeks to ensure that new residential development will be acceptable in terms of layout in order to provide a good quality residential environment.

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

Policy H2/6 - Garden and Backland Development states that the Council will not permit the loss of private gardens for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

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

Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not

have an adverse impact on the particular character and townscape of an area.

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.

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.

The proposed development is located within the urban area and there are residential dwellings surrounding the site. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available and an area of residential amenity space would be retained for the existing dwelling and as such, the proposed development would be acceptable in principle. Therefore, the proposed development would be in accordance with Policy H1/2 and H2/6 of the Bury Unitary Development Plan and the NPPF.

Layout and Design

The proposed dwelling is of a simple and unobtrusive design with a pitched gable roof replicating the shape and style of the neighbouring properties. The use of materials proposed are acceptable and the scale and massing of the dwelling appears appropriate allowing residential amenity space to be retained for both dwellings.

The plans demonstrate that the proposed development could be accommodated within the site area without compromise to either future occupiers or the surrounding area and would comply with H2/1 - The Form of New Residential Development, Policy H2/6 - Garden and Backland Development and H2/2 - The Layout of New Residential Development.

Residential Amenity

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.

There are no adopted aspect standards for new build residential properties. However Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

The proposed side windows and side door facing towards No. 35 Greenbank Road would relate to non-habitable rooms and would have an onward view of the gable and parking area of this property rather than principal habitable room windows, or private amenity space. As such these proposed windows are considered to be acceptable. There are no first floor rear windows facing towards the residential amenity space of No. 35 Greenbank

Road and the proposed rear ground floor living room window would be screened by the proposed 1.8 metre fencing. In this instance it is considered that the proposal would not have a detrimental impact on the privacy of No. 35 Greenbank Road.

The proposed dwelling would be set at an angle from the original rear elevation and habitable room windows of the dwelling at No. 35 Greenbank Road.

The proposal is located adjacent to allotments, and directly faces an area of protected open recreation land. There are no dwellings within 20 metres of the proposed front, or side habitable rooms and as such the proposed complies with the aspects standards as set out within SPD 6.

Ecology

There are records of great crested newts from the pond to the north and from the allotments. The scale of the development however is such that reasonable avoidance measures will be adequate, particularly given the nature of the development site which is gravel a hostile environment. A method statement has been provided which GMEU consider is reasonable given the nature of the site, and it has been confirmed that a licence great crested newt ecologist is contracted to respond in the event of one being found. There is no reason to disagree with this view and therefore the proposal is considered to be acceptable in relation to the NPPF and UDP 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.

Parking and Highways

SPD 11 requires a maximum of 2 parking spaces for 3 bedroom houses within high access areas. The proposed new dwelling would have 2/3 bedrooms, and the existing dwelling has 3 bedroom. The proposal would retain 2 spaces per dwelling and as such the proposal would comply with parking standards.

The Highways Officer has reviewed the plans submitted and recommended conditions to include the following details:

- Extent of existing boundary wall abutting Greenbank Road to be removed, incorporating the retention/replacement of the existing edgings at the back of the footway;
- Formation of the proposed footway crossing onto Greenbank Road, incorporating adequate visibility at the back edge of the footway and 2.4m x 25m visibility splays at the junction of the access with Greenbank Road, with no obstructions above the height of 0.6m within them;
- Extent and heights of all proposed boundary treatment abutting the adopted highway;
- 5.0m minimum length driveway of a sufficient width to be able to accommodate two vehicles clear of the adopted highway in either a porous/permeable material (not loose stone) or incorporating measures to prevent the discharge of surface water onto the adopted highway.

To ensure good highway design and the intervisibility of the users of the site and the adjacent highway. Subject to the submission of these details the proposal is considered to comply with UDP Policies Policy HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

Permitted Development

Due to the nature of the site, with limited residential amenity space to the side and rear, close proximity to the neighbouring dwelling and the need to protect visibility from the proposed driveway it is considered that permitted development rights should be removed to ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

Response to Objectors

The proposal complies with parking standards. Additional information has been requested from the Traffic Section via condition.

The proposal is for a dwelling, not a commercial property. Any use of the site would have to comply with the planning permission.

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 drawings numbered Revised Location Plan, 19/504/02A, 19/504/03A, 19/504/01A, 19/504/04 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to and agreed with the Local Planning Authority:
 - Extent of existing boundary wall abutting Greenbank Road to be removed, incorporating the retention/replacement of the existing edgings at the back of the footway;
 - Formation of the proposed footway crossing onto Greenbank Road, incorporating adequate visibility at the back edge of the footway and 2.4m x 25m visibility splays at the junction of the access with Greenbank Road, with no obstructions above the height of 0.6m within them;
 - Extent and heights of all proposed boundary treatment abutting the adopted highway;
 - 5.0m minimum length driveway of a sufficient width to be able to accommodate two vehicles clear of the adopted highway in a either a porous/permeable material (not loose stone) or incorporating measures to prevent the discharge of surface water onto the adopted highway.

The details subsequently approved along with all associated highway remedial works required as a result of the construction of the proposed dwellings and statutory undertakers connections, shall be implemented prior to the dwelling hereby approved being occupied.

Reason. Information not submitted at application stage. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of road and to maintain the integrity of the adopted highway pursuant to Bury MBC Unitary Development Plan Policies Policy HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

4. 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;
- Storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- Site hoarding position, including the provision of temporary pedestrian facilities/protection measures on the adopted highway required as a result of the removal of the boundary wall/construction of the dwelling;
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

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

5. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

6. No development shall commence unless and until:-

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

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.

7. Following the provisions of Condition 06 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.

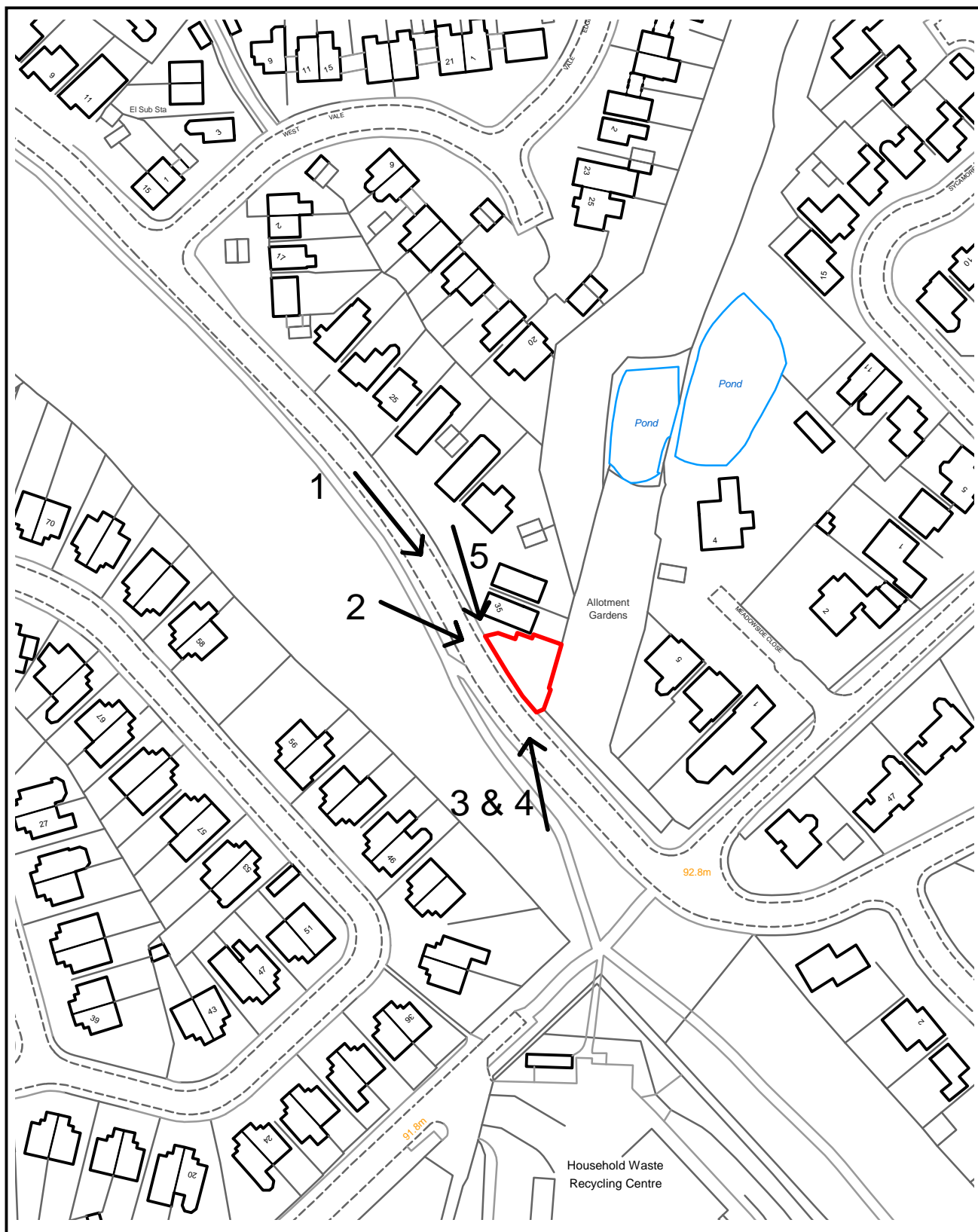
Reason. To secure the satisfactory development of the site in terms of human

health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

8. 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.
9. The proposal shall be carried out in accordance with the approved Great Crested Newt Reasonable Avoidance Measures Statement received on the 26th September 2019.
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. A landscaping scheme, including the details of the proposed boundary fence, 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.
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.

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

Viewpoints



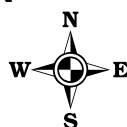
PLANNING APPLICATION LOCATION PLAN

APP. NO 64708

ADDRESS: Land adj 35 Greenbank Road
Radcliffe

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64708

Photo 1



Photo 2



64708

Photo 3



Photo 4

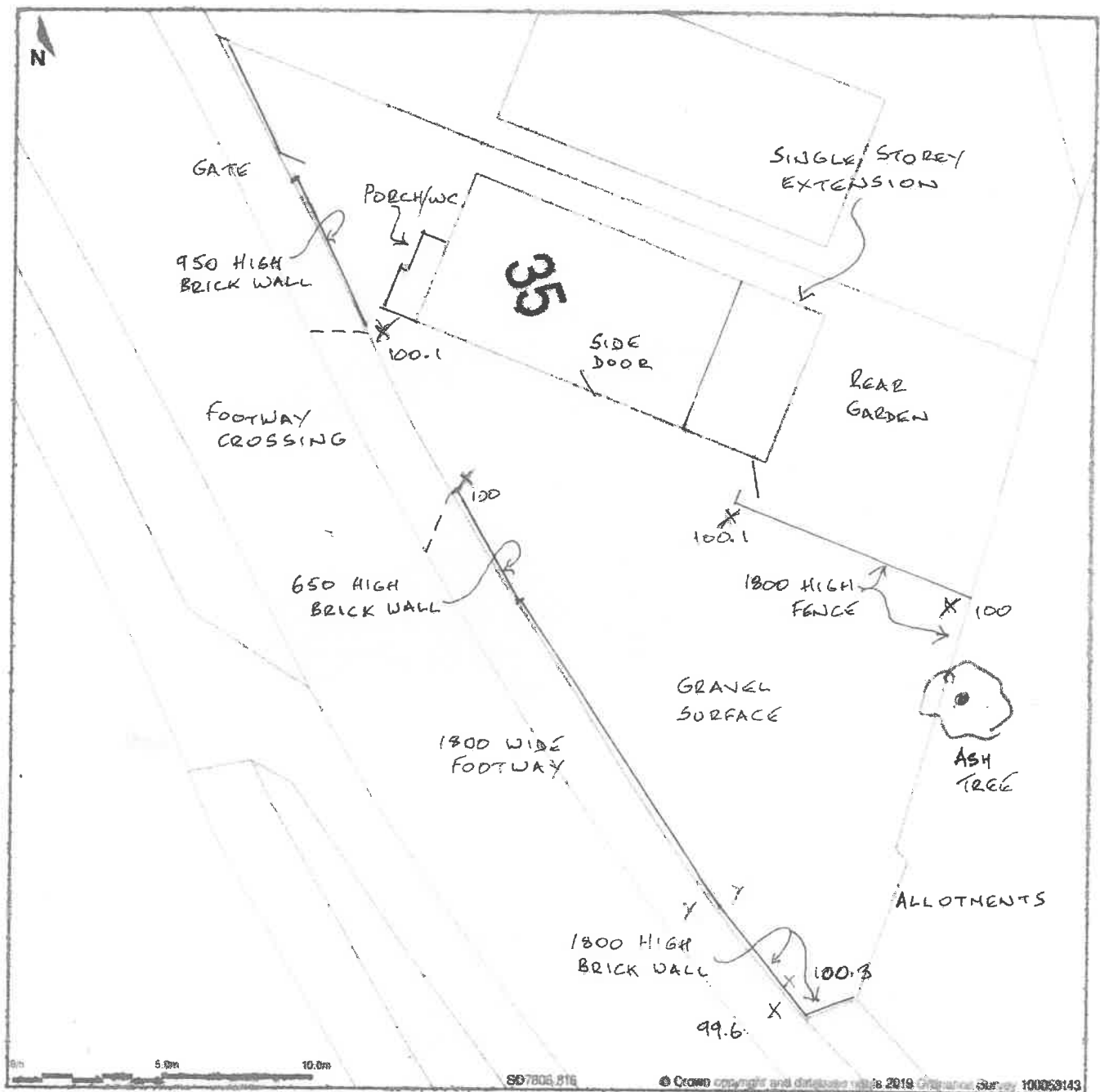


64708

Photo 5



35. Greenbank Road, Radcliffe, Bury, M26 4FR



27/06/19 13/09/19 - LEVELS ADDED

19/04/02A

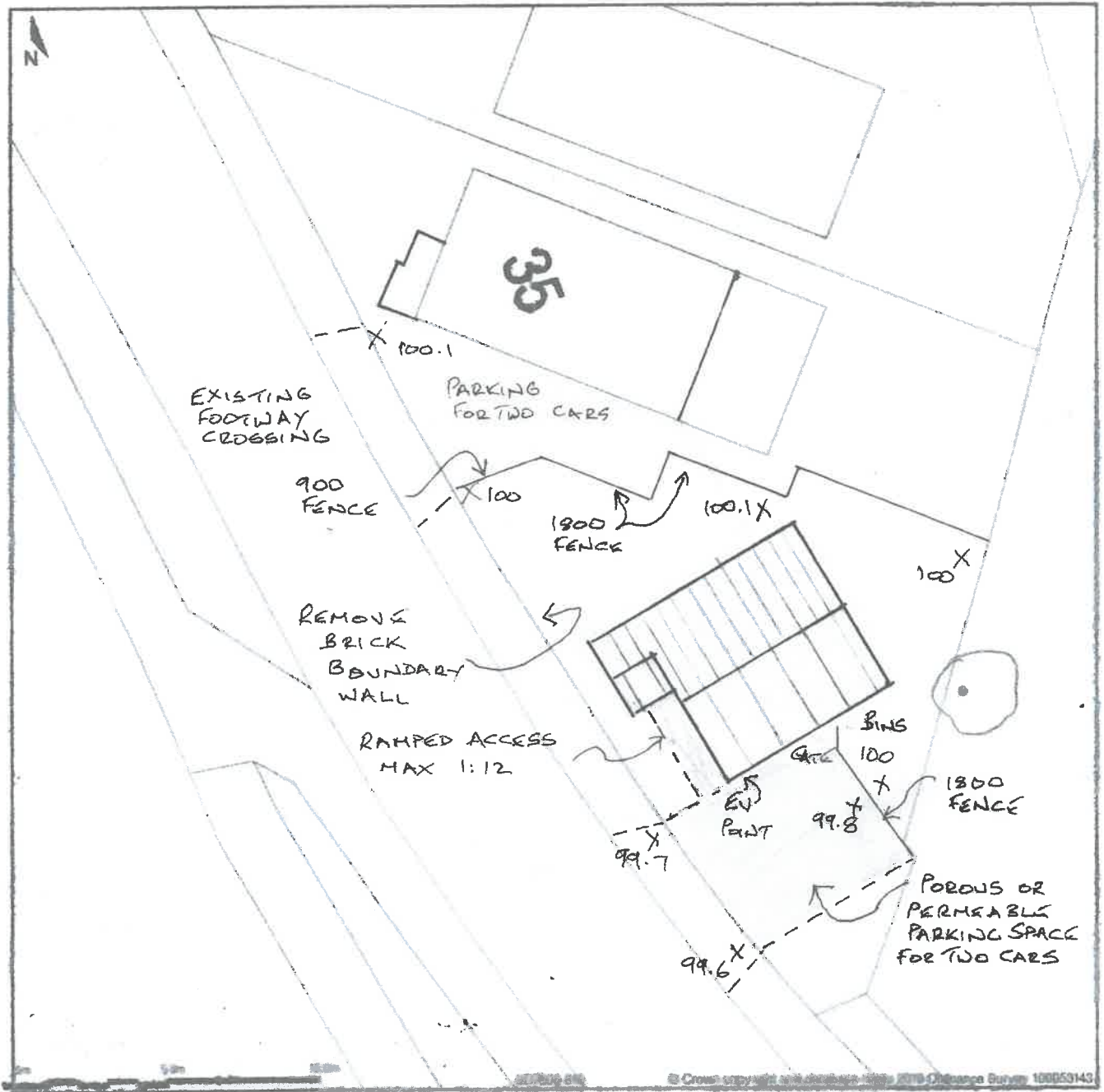
Block Plan shows area bounded by 478144.44, 408146.2, 378090.44, 439182.2 (at a scale of 1:200). OS Grid Ref: SD7806 816. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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3A EXISTING PLAN (1:200)

35. Greenbank Road, Radcliffe, Bury, M26 4FR



13/09/2019 - HOUSE HANDED, DETAIL ADDED

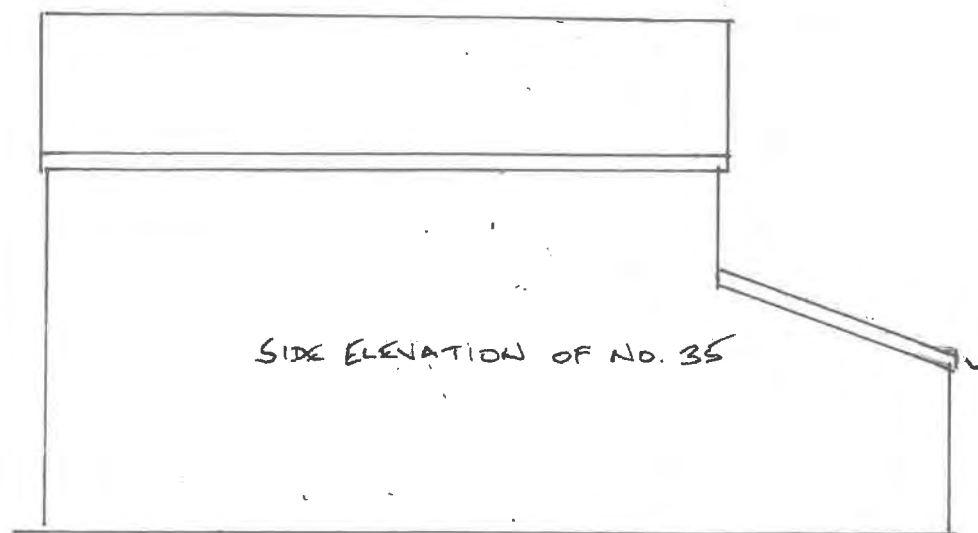
19/504/03A

Black Plan shows area bounded by: 378044.44, 406146.2, 378050.44, 428182.2 (at a scale of 1:200). OS Grid Ref: SD7805 816. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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3A PROPOSED SITE PLAN



SIDE ELEVATION OF NO. 35



FRONT ELEVATION



REAR ELEVATION

PROFILED CONCRETE TILES

RED BRICKWORK

WHITE OR GRAY UPVC
DOORS & WINDOWS



SIDE ELEVATION

CARRIAGEWAY FOOTWAY



SECTIONAL SIDE ELEVATION

4 ELEVATIONS

13/09/2019

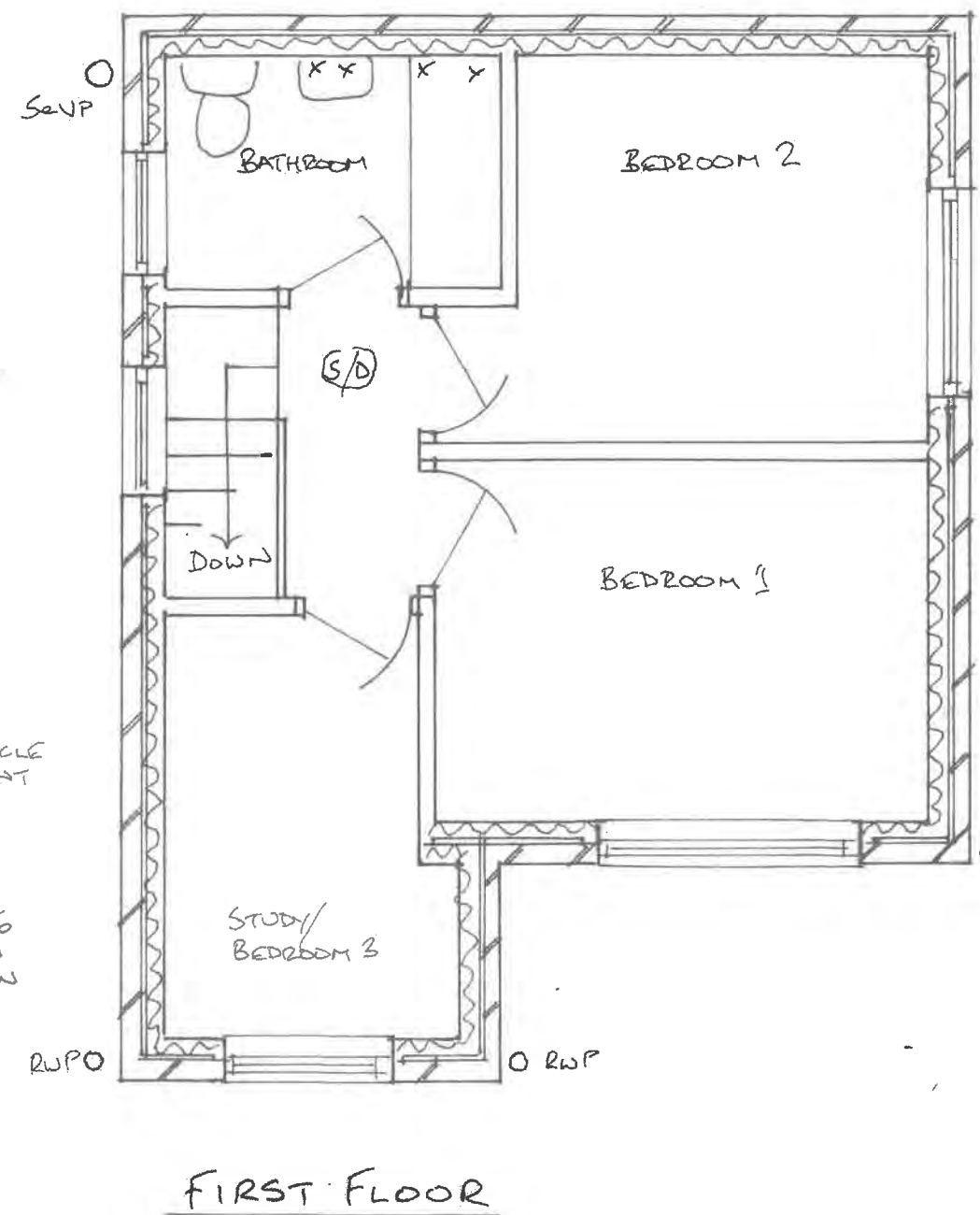
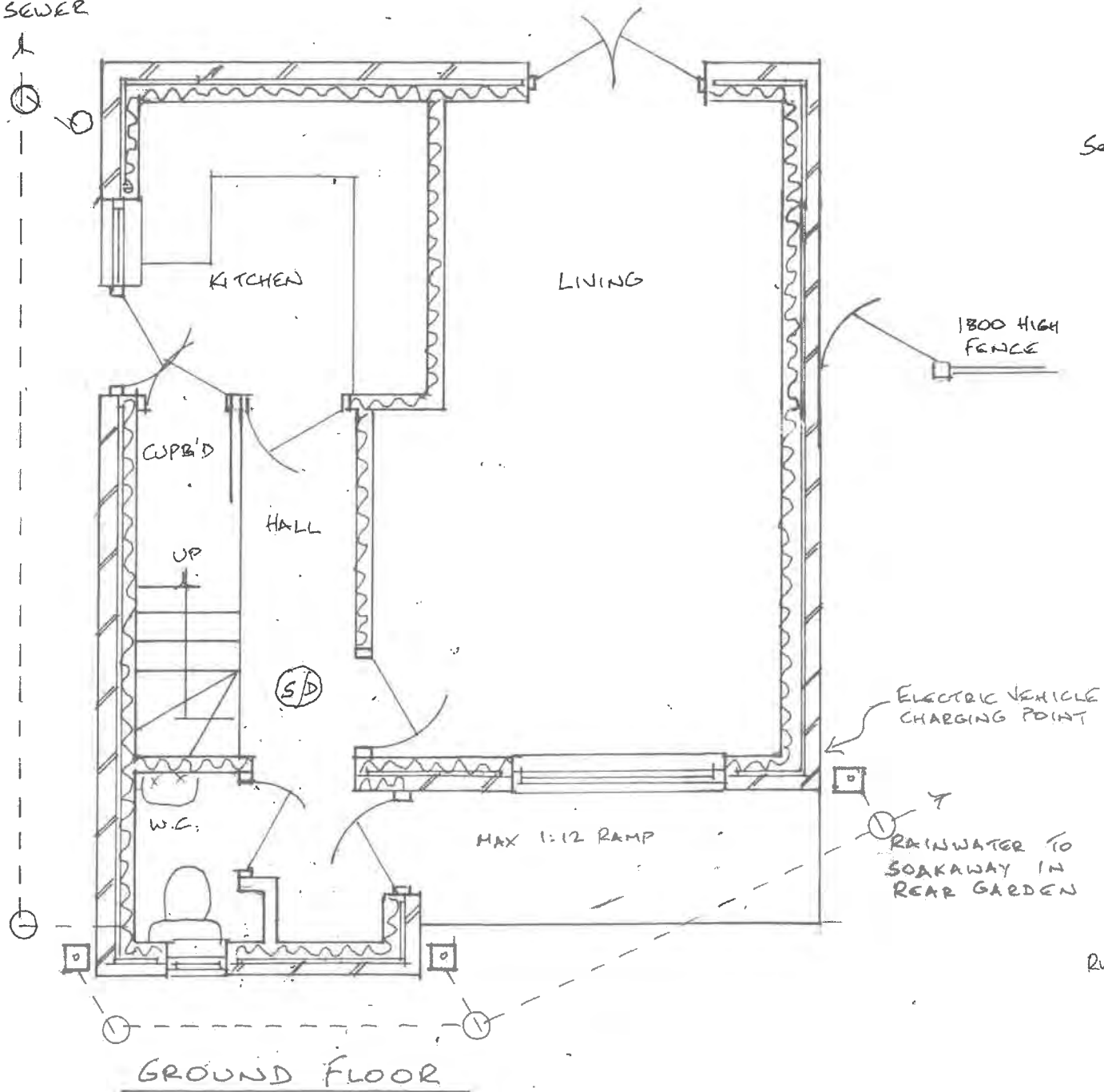
19/504/04

DETACHED DWELLING

ADJ. 35 GREENBANK ROAD, RADCLIFFE M26 4FR

SCALE 1:100 @ A3

TO FOUL
SEWER



1A PROPOSED PLANS

13/09/2019 - REDRAWN

19/504/01A

DETACHED DWELLING

ADS. 35 GREENBANK ROAD, RADCLIFFE M26 4FR

SCALE 1:50 @ A3

Ward: Whitefield + Unsworth - Pilkington Park

Item 08

Applicant: Harrington House Estates Ltd.

Location: 79 Bury New Road, Whitefield, Manchester, M45 7EG

Proposal: Change of use from existing 6 bed HMO (Class C4) to 8 bed (8 person) house in multiple occupation (HMO) (Sui Generis)

Application Ref: 64719/Full

Target Date: 26/11/2019

Recommendation: Approve with Conditions

Description

The application relates to a large red brick/slate end terraced property on the west side of Bury New Road, to the south of the Higher lane junction. The formerly a single house, it has recently undergone refurbishment and conversion to a 6 person House in Multiple Occupation (HMO). The main pedestrian entrance is from Bury New Road and there is also an access into the rear yard from the unmade side road (Robin Lane). Robin Lane is a private unadopted road that runs around the row of terraced properties (79-93 Bury New Road) and allows access to the childrens nursery at the rear.

There are residential properties attached to the north and across Robin Lane to the south. To the west, across Bury New Road is the United Reformed Church and the block of flats known as Mayfair Gardens. There are parking restrictions along this part of Bury New Road and there are traffic lights directly in front of the property. There is a bin store and cycle store in the rear yard area.

The proposed development involves:

- Change of use of the existing 6 person HMO in to an 8 person HMO. The two additional bedrooms and kitchen/diner would be on the second floor, in the existing rooms within roofspace.

The supporting statement, submitted with the application, states that the HMO is licenced for 6 people and is currently occupied by 6 'young professional people' which is the target market for this property. It has confirmed that three of the residents have cars which is a 50% car ownership level.

Relevant Planning History

61596 - Conversion and extensions to existing dwelling house to form 8 bed House in Multiple Occupation (HMO) - Refused 28/07/2017

Enforcement 18/0075 - Conversion of dwelling house to 8 bed House Of Multiple Occupation (HMO) - application received.

Publicity

The following neighbours were notified by letter dated 1/10/19.

Objections received from Nos. 81, 83, 87, 89 and 91 Bury New Road are summarised below:

- The proposal will intensify the use of the property and lead to increased traffic generation and pressures on parking.
- The access road is not suitable to carry more vehicles.
- The junction onto Bury New Road is very dangerous and more vehicles would be detrimental to highway safety.

- No details of bin storage. The proposal will lead to increasing numbers of bins which may impede the access road.
- Increased noise and disturbance to immediate neighbours, particularly from 'kitchen/diner' on 2nd floor.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Environmental Health - No objection.

Urban Renewal - No objection.

Greater Manchester Police - No objection. Recommends a number of measures to improve security at the property.

Pre-start Conditions -N/A

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN7	Pollution Control
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
SPD13	Conversion of Buildings to Houses in Multiple Occupation

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 conversion of a house to a House in Multiple Occupation is acceptable in principle, highlighted by the fact that the property was previously converted to a 6-person HMO under 'permitted development' earlier this year.

This application seeks permission to allow accommodation for 2 further residents on the second floor and as such the main issue is what impact the impact of the additional accommodation would have in planning terms.

The National Planning Policy Framework (NPPF) sets out the governments objective of significantly boosting the supply of homes in all kinds of size and tenures. With regard to HMOs, the conversion of large houses into flats or bedsits can make an important contribution to the local housing stock and can utilise vacant or underused space more efficiently.

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 within an existing HMO, located within the urban area and adjacent to residential uses. The proposed development would not conflict with the surrounding land uses and would be located in a relatively sustainable location with access to public transport and services. 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.

However, it is recognised that the conversion of buildings to HMOs can, in some cases, raise issues such as parking, residential amenity and impact on character and appearance of an area.

Design and layout - Policy H2/4 states that applications for the conversion of a building into a house of multiple occupation will be considered with regard to the following:

- the effect on the amenity of neighbouring properties through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes;
- the general character of the area and the existing concentration of flats;
- the amenity of occupants;
- the effect on the streetscene of any changes to the external appearance of the building;
- car parking and servicing requirements.

The proposed development would utilise the same entrance as the existing HMO and the property would still retain the appearance of a dwelling. Indeed the refurbishment that has been undertaken at the property has significantly improved its appearance within the streetscape and as such would be in accordance with Policies EN1/2 and H2/4 of the Bury Unitary Development Plan.

Impact upon Residential Amenity - As existing windows, facing the road to the front and yard to the rear, would be utilised, there would be no significant overlooking beyond the existing situation.

The immediate neighbour at No.81 is concerned that the kitchen/diner would lead to increased noise through the party wall. This issue has been raised with the agent who states that, following an assessment, appropriate sound insulation to the party wall was carried out to mitigate any noise transfer. Notwithstanding this, it is reasonable to attach a condition requiring noise insulation to a Building Regulations (Part E) standard. The proposed development would not have an adverse impact upon the residential amenity of the neighbouring properties and would be in accordance with UDP Policy.

Highway and Parking - No on-site parking is available and none is proposed. There is an unmade road (Robin Lane), coming off Bury New Road at the northern end of the terraced block and runs along the back of the houses. This road is blocked off where it meets Bury New Road, adjacent to the site. This private unmade access road is shared by all the properties in the block as well as the childrens day nursery and the scout cabin off Robin Lane, to the rear of the site. The land to the side of the site, on Robin Lane, is used informally for parking.

The site has relatively good to public transport links with bus stops nearby and the nearest metrolink is a Besses O' th' Barn 300m away to the east. In addition, a cycle store is located in the rear yard.

There is no specific car parking standards for HMO's in SPD11 Parking Standards in Bury, but SPD 13 The Conversion of Buildings to Houses in Multiple Occupation gives some general advice. It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted. Car parking provision should meet the requirements of the likely occupants and, where possible, should be provided off-street.

The previous planning application for the change of use to an 8 person HMO was refused in July 2017 on the following grounds:

The lack of dedicated off-road parking provision is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the serious detriment of the free flow of traffic and road safety. The proposal is therefore unacceptable and would be contrary to the NPPF and UDP Policies HT2/4 Car Parking and New Development and H2/4 Conversions and supplementary guidance document SPD13 Conversion of Buildings to Houses in Multiple Occupation.

Although HMO's generally have lower levels of car ownership than conventional households, at the time of application there were no figures in this regard. The supporting statement, submitted with the current application indicates that, of the 6 current residents, 3 have cars. On this basis, it is possible that there could be a further car generated by the additional two persons. However, given the size of the property, the proximity to public transport and the relatively low level of car ownership, the proposal for two further residents is now considered to be, on balance, acceptable.

Given its sustainable location, the proposal is acceptable and would comply to the NPPF and UDP Policies HT2/4 Car Parking and New Development and H2/4 Conversions and associated SPD11 Parking Standards in Bury and SPD13 Conversion of Buildings to Houses in Multiple Occupation.

Objections.

The planning issues raised by objectors have been addressed in the main report. Given the current car ownership levels within the HMO, it is not considered that the traffic generated by the two additional residents would be so great as to cause undue parking problems and be detrimental to highway safety. It is considered that the noise and disturbance issues raised by the neighbour have been addressed by work carried out to the party walls

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 drawings numbered 079-01, 02, 03, 04 and 05 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Prior to first occupation of the additional living accommodation, the insulation of the party walls and between floors/ceilings shall be in accordance with Building Regulations Approved Document E (2015).
Reason. Sufficient details have not been provided and to reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to NPPF and UDP Policy

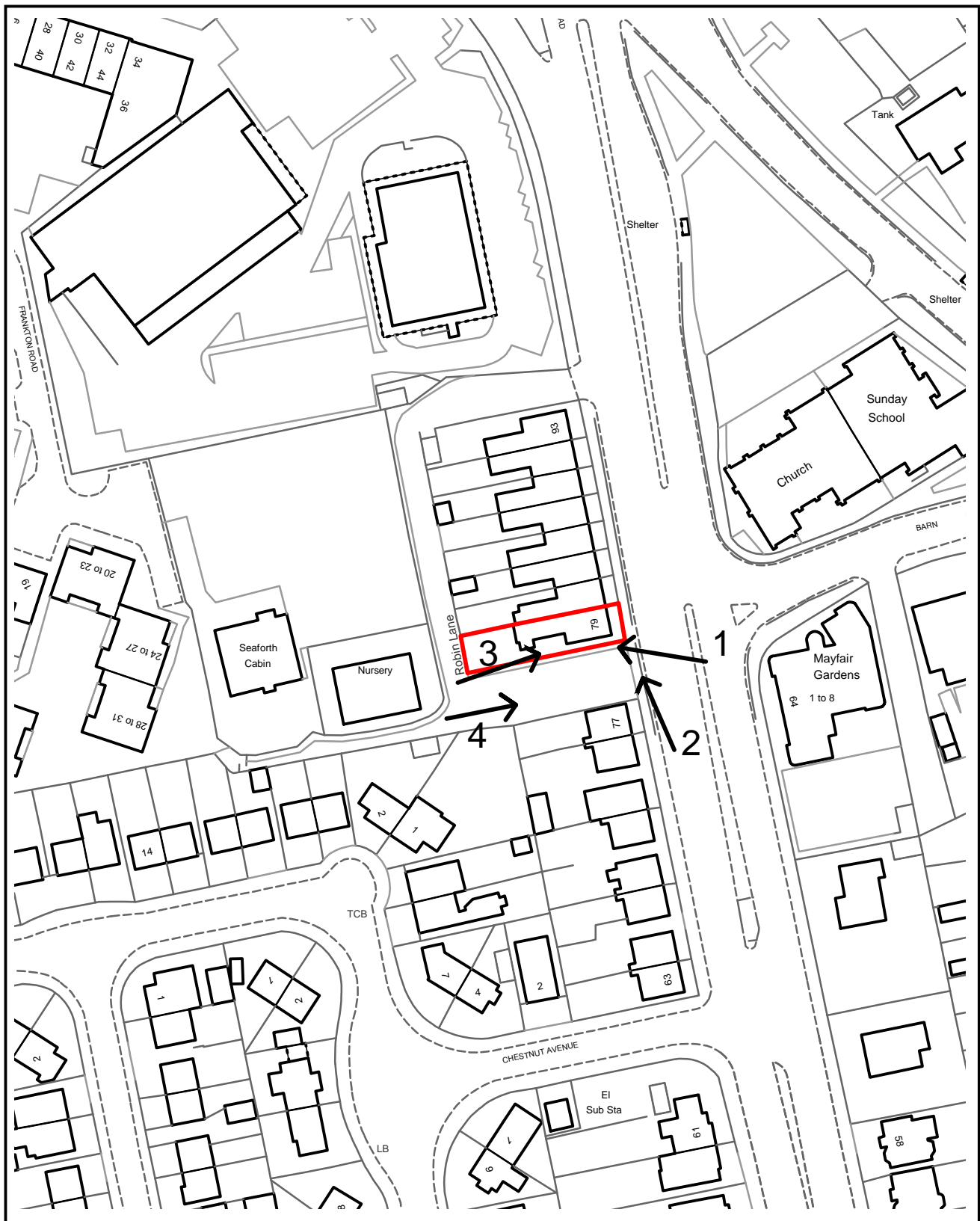
EN7/2 Noise Pollution.

4. The refuse storage facilities indicated on the approved plan shall be implemented and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.

Reason - In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to the following Unitary Development Plan Policy H2/4 Conversions.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64719

**ADDRESS: 79 Bury New Road
Whitefield**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64719

Photo 1



Photo 2



64719

Photo 3



Photo 4





Site Plan
1:500

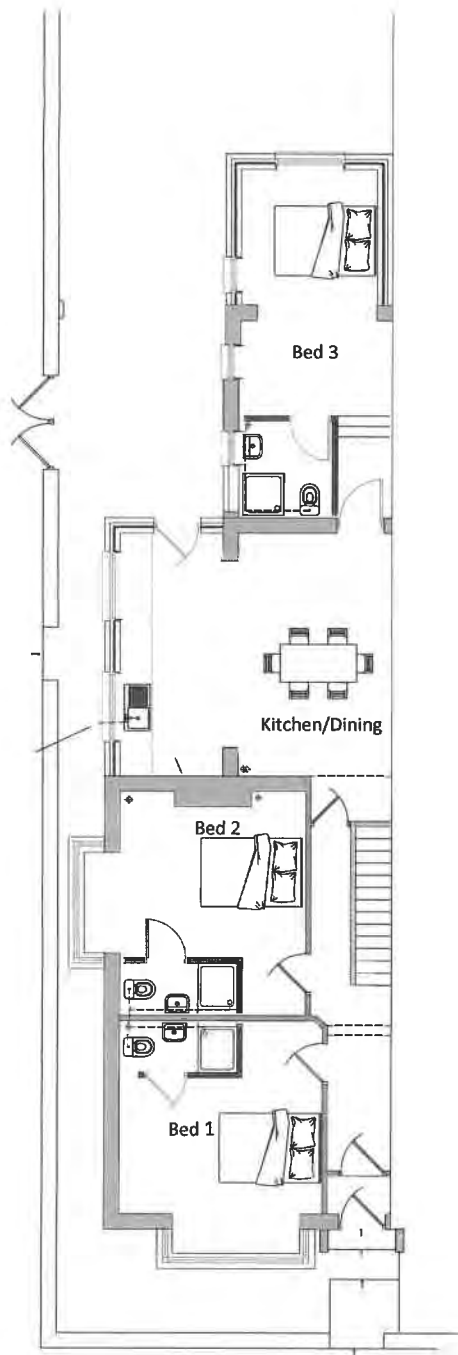


Location Plan
1:1250



NOTE
ALL DIMENSIONS ARE TO BE CHECKED
ON SITE PRIOR TO THE START OF WORKS.
IF ANY DISCREPANCIES ARE TO BE FOUND
THEN THIS OFFICE IS TO BE NOTIFIED AS
SOON AS POSSIBLE

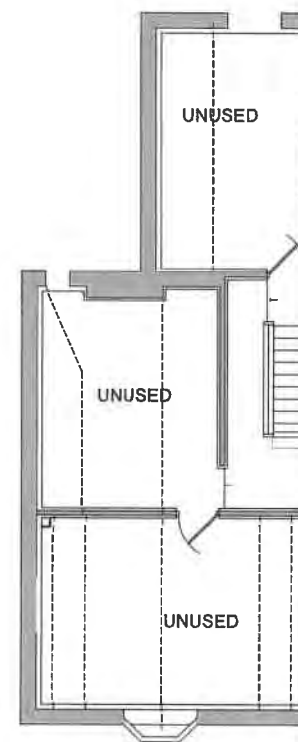
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Project		
79 Bury New Road Whitefield M45 7EG		
Title Location/ Site Plan	Client N Mackey	
Scale 1:1250@A3	Drawing Number 079-01	
Date SEPT 19		



GROUND FLOOR



FIRST FLOOR

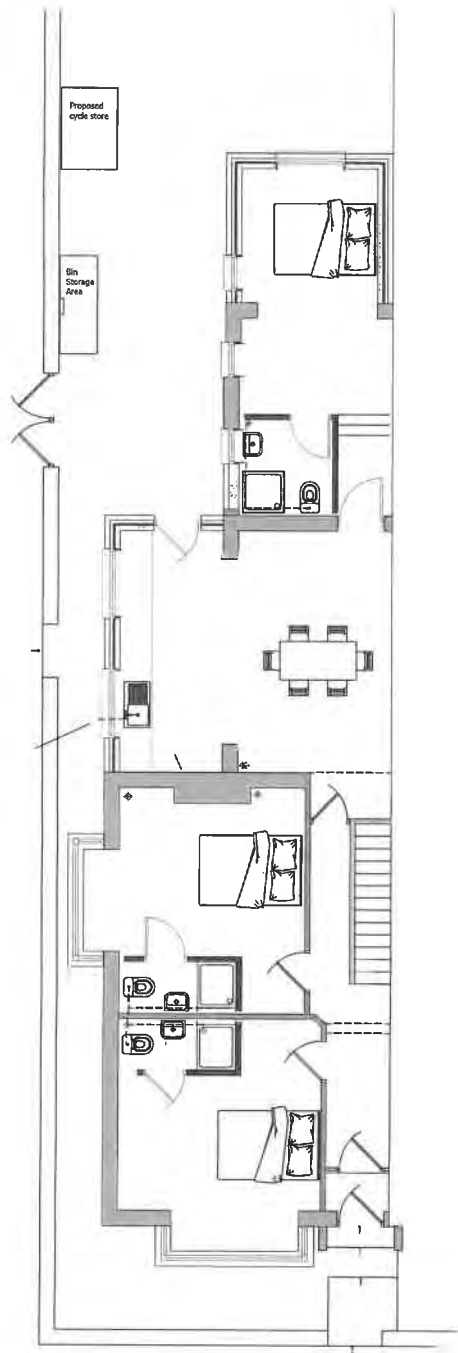


SECOND FLOOR

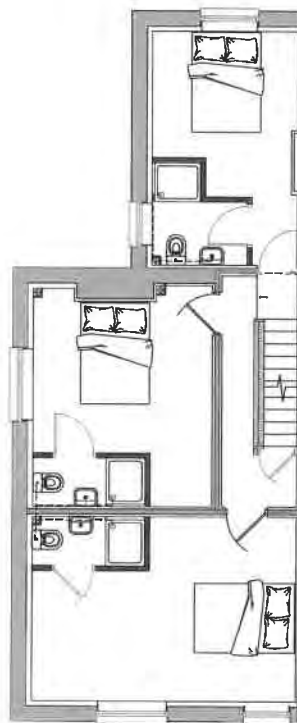
NOTE
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SOON AS POSSIBLE



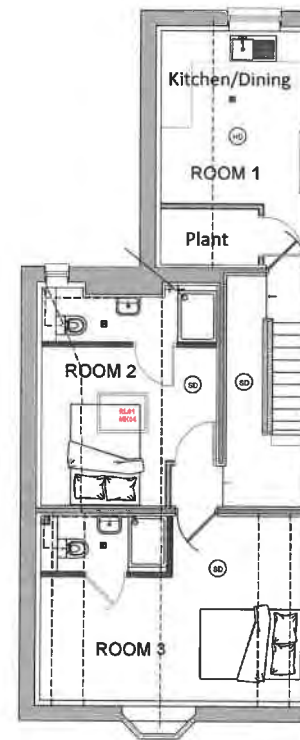
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Project			
79 Barry New Road			
Widened			
M45 JCT			
Title		Client	
Existing Plans		H Mackay	
Scale		Drawing	
1:200 A1		Number	
Date		079-02	
6 SEPT 19			



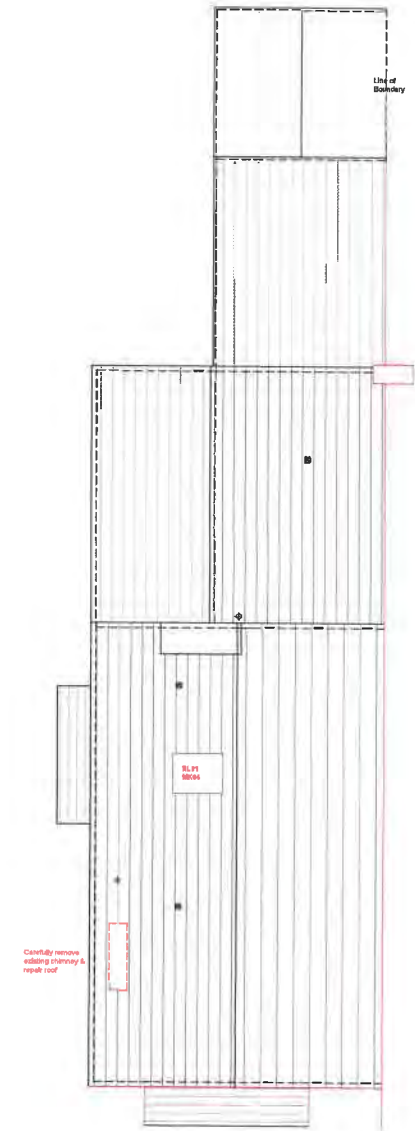
GROUND FLOOR



FIRST FLOOR



SECOND FLOOR



ROOF PLAN

NOTE:
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IF ANY DISCREPANCIES ARE TO BE FOUND
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SOON AS POSSIBLE.

Revision	Date	Description
Project		
79 Bryn New Road		
Widely		
M45 7EU		
Title		Client
Proposed Plan		M Mackey
Scale		Drawing
1:500gA1		Number
Date		075-04
REF: 19		

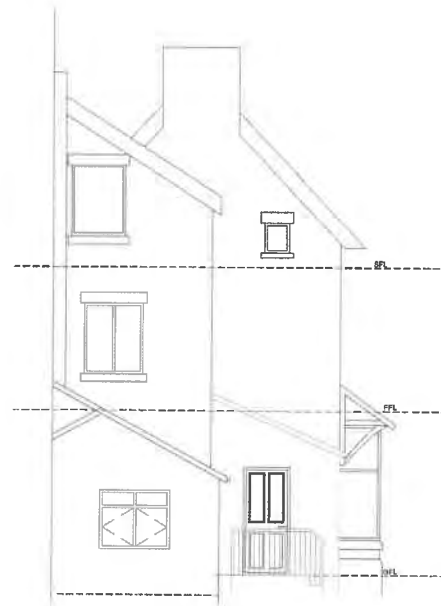




SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

NOTE
ALL DIMENSIONS ARE TO BE CHECKED
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SOON AS POSSIBLE



Revision	Date	Description
Project		
70 Bay New Road		
Waltham		
M43 7EG		
Title	Client	
EXISTING CLEV9	N Mackay	
Scale	Drawing	
1:500A1	Number	079-03
Date	SEPT 19	



SIDE ELEVATION



FRONT ELEVATION

REAR ELEVATION

NOTE
ALL DIMENSIONS ARE TO BE CHECKED
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SOON AS POSSIBLE



Revisions	Date	Description
Project		
79 Bury New Road Widfield M45 7ED		
Title	Client	
Drawings	H Mackay	
Scale	Drawing	
1:500/A1	Number	
Date	SEPT 19	079-05

Introduction

This report sets out the issues relating upon the current temporary tree preservation order (No.348) currently designated at 156-158 Bury Old Road, Whitefield.

Discussion

A planning application (Ref.64216) was submitted, proposing various works to create additional car parking within the site and the erection of a boundary fence. The proposed works included the felling of a large Sycamore tree on the grassed embankment in the south-east corner of the site, close to the Mayfair Avenue frontage.

On 10th June, the Council imposed a temporary Tree Preservation Order, concerned that the tree may be under threat and the loss of tree would have a significantly detrimental impact on the character of the Green Belt locality. The effects of the provisional TPO are exactly the same as a full order, provided that the temporary order is subsequently confirmed within 6 months.

On 12th July the delegated decision was a 'split decision', approving a boundary fence which was part of the proposal, but refusing the works to the car park on grounds that it would mean the loss of the tree, subject to this TPO.

Issues

Subject to Regulation 6 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012, objections and representations that are made in writing must be appropriately considered.

Letters of notification were issued to the landowner, in this case the North West Ambulance Service NHS Trust, and as a result, representations were made by Bowland Tree Consultancy Ltd on behalf of the trust.

Summary of representations.

- The sycamore is unsuitable for inclusion with a TPO in that it is not of high amenity value to the area and its loss would not have a serious impact on the character of the area.
- Mitigation tree planting along the site boundaries would more than adequately offset the loss of the tree.
- The retention of the tree prevents the ambulance station from functioning effectively.

LPA Response –

Character and amenity value - Following a subsequent site visit by the Council's Planning and Tree Officers we would disagree with the landscape assessment presented by the objector. Whilst views from some aspects to the south, down Bury Old Road are limited, the tree is readily seen from Mayfair Avenue, Barn Street and from wider aspects along Bury Old Road. It is noted that Bury Old Road is a main throughroute and close to a very busy junction. The tree is also situated on elevated ground, giving it more prominence within the immediate locality

Mitigation - In terms of the mitigation planting along the boundary of the site, whilst the replacement trees may mitigate to a degree, it is not considered that given the size of the existing tree and its amenity value within the wider streetscape, the limited area for planting available and the presence of telephone wires extending across the site, the replacement trees would not mitigate to a satisfactory degree.

Operations - With regard to the operational needs of the ambulance station, the planning application did not include a detailed operational assessment as to why the additional parking spaces are required. Indeed, during the assessment, it was confirmed that the existing staff/visitors at the ambulance station use the existing car park at the church, across Bury Old Road. Although this is on a purely informal basis, it does appear to work effectively and indeed uses existing car parking more efficiently.

Whilst the need for some staff to have their own personal transport is recognised, there are areas that need to be investigated with regard to other staff and visitors. As suggested in the officer report (attached at the back of this report) a detailed assessment of the staff and visitors with regard to the use of alternative methods of travel have not been explored – Besses o'th' Barn metro station is a short walk away, as are bus stops.

Notwithstanding the above, it is still considered that a comprehensive reassessment of the parking area needs to be undertaken as it is considered that additional spaces could be created without losing the TPO tree, albeit not to the extent the proposal indicated.

It is also noted that there is some parking along the Mayfair Avenue frontage with necessarily impacting on residential properties nearby.

The position of the tree is detailed on the plan attached at the back of this report and it is recommended that the confirmation of the temporary order to a full tree preservation order on this site should be confirmed, without modification. Future tree works would be subject to assessment and consideration by the Local Planning Authority (LPA) and where works are considered to be appropriate, works could be permitted to be carried out under circumstances and/or subject to conditional controls. In addition, any tree removal can be subject to replanting requirements to again serve to maintain the natural aesthetics the site provides. The effects of such an order do not prevent good maintenance being carried out. However, such works could only be done following formal approval from the LPA.

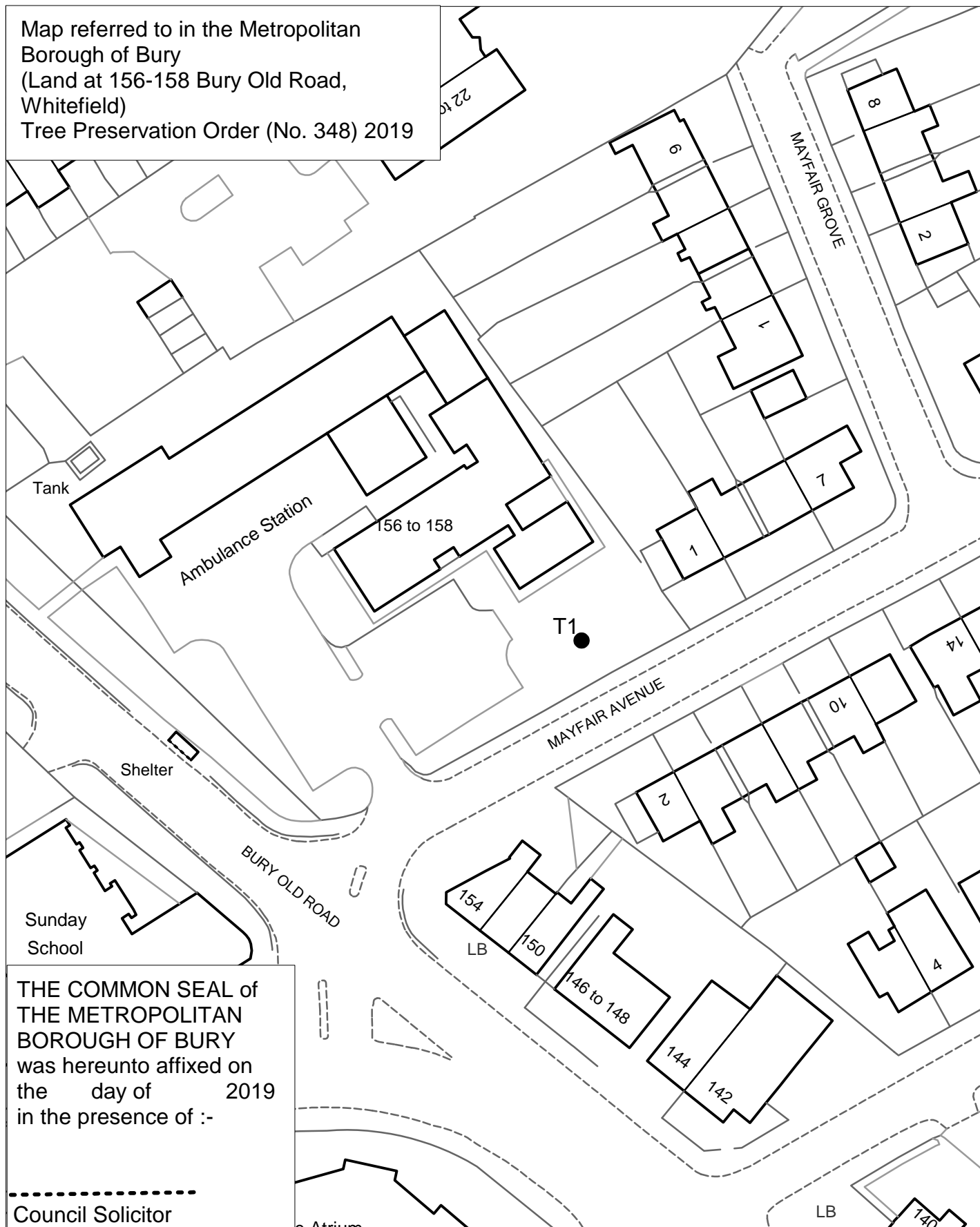
Recommendation

That the current temporary preservation order issued on the tree within the curtilage of 156-158 Bury Old Road as identified in Appendix 1 is confirmed with the modifications detailed.

List of Background Papers:-

Temporary Tree Preservation Order dated 10th June 2019
The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Map referred to in the Metropolitan
Borough of Bury
(Land at 156-158 Bury Old Road,
Whitefield)
Tree Preservation Order (No. 348) 2019



THE COMMON SEAL of
THE METROPOLITAN
BOROUGH OF BURY
was hereunto affixed on
the day of 2019
in the presence of :-

Council Solicitor

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Bury
COUNCIL

DELEGATED REPORT

Report by Tom Beirne	Date of report: 11/07/2019	Ref: 64216/FUL
Registration: 20/05/2019	LDFC: 14/06/2019	Expiry Date: 15/07/2019
Site Visit: 19/06/2019	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: A. Erection of 2.1m high paladin fencing on the north west boundary;
B. Extension to existing car park and external alterations.

Location: Whitefield Ambulance Station, 156-158 Bury Old Road, Whitefield, Manchester, M45 6AQ

Description

The ambulance station, on the corner of Bury Old Road and Mayfair Avenue, comprises a single storey building with parking for ambulances and cars. There is a mature privet hedge along the Bury Old Road and Mayfair Avenue boundaries. There are groups of trees along the northern boundary and a large single Sycamore on the grassed embankment on the eastern side, fronting Mayfair Avenue. Vehicular access is from Mayfair Avenue with a pedestrian access from Bury Old Road. The site has residential properties to the north, west and east and across Bury Old Road is The United Reformed Church.

The proposal comprises two main elements. The replacement of the existing post and wire mesh fence along the north west boundary with a paladin steel mesh fence, 2.1m high. It is also proposed extend the car park on the east side of the site.

Two prefabricated buildings would be demolished and the large Sycamore tree is proposed to be removed on the east side, to facilitate the additional parking. Due to the impact on trees, an Arboricultural Constraints Appraisal (Bowland Ltd, April 2019), was submitted with the application, rated the Sycamore tree (T1) as Category B (moderate value), with the other trees around the site as Category C (low value).

Relevant Planning History

None.

Publicity

The immediate neighbours were notified by letter dated 13/5/19.

One letter of objection has been received from the occupier of No.6 Mayfair Avenue and is summarised:

- The large Sycamore has visual amenity value and its loss would be detrimental to the local environment and the enjoyment of the tree by the public. The health and condition of this tree appears to be excellent adding further weight to the argument in favour of maintaining and protecting the tree.
- I am of the understanding that ambulance staff are permitted to use parking facilities at the church adjacent to Mayfair Avenue. In my experience this car park is rarely (if ever) used by station staff. If this option is indeed available, I propose that this would be a viable and preferable alternative to removing the tree and extending the car park.

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Tree and Woodland Management Officer - The Sycamore tree (T1) in the eastern section

of the site and referred to on the plans is good specimen and worthy of TPO, particularly in view of its value within the streetscape.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN6/3	Features of Ecological Value
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
HT2/4	Car Parking and New Development
CF4	Healthcare Facilities
SPD11	Parking Standards in Bury
SPD3	DC Policy Guidance Note 3: Planning Out Crime

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.

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, it is 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 material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

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

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

EN6/3 - Features of Ecological Value

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

EN8 - Woodland and Trees. The Council will support the retention of trees, woods, copses and hedgerows and encourage natural regeneration and new and replacement tree planting throughout the Borough.

EN8/1 - Tree Preservation Orders. The Council will make Tree Preservation Orders where they are needed to protect trees and woodlands.

CF4 - Healthcare facilities. Improvements to existing, and proposals for new healthcare facilities will generally be looked on favourably by the Council.

Use - The ambulance station is a valuable community facility that has operated on this site for many years and it is recognised that its continued operation is dependent on good access and parking. The question is whether the benefits accruing to the additional car parking outweigh the disbenefits of losing the large Sycamore tree and if the proposal is the most appropriate option.

Visual amenity and Streetscape - The proposed replacement mesh fence would be more robust than the existing fence and situated along the northern boundary adjacent to existing streets and shrubs. As such it would not be prominent within the streetscape and would comply with UDP Policy EN1/2 Townscape and Built Design.

The extension to the existing car park would require the removal of a large mature sycamore tree. Given the size and quality of the tree and its value within the streetscape, it was deemed worthy protection by the Council's tree officer. As such, a Provisional Tree Preservation Order was put on the tree on 10/07/19.

The Arboricultural Constraints Appraisal (Bowland Ltd, April 2019), submitted with the application rated the sycamore tree as Category B (moderate value), with the other trees around the site as Category C (low value). In response to initial concerns about the removal of the Sycamore tree, it was indicated that additional tree planting could be undertaken along the grassed bank adjacent to Mayfair Avenue. Whilst this may mitigate the loss of the large Sycamore to some extent, it is considered that it would not be sufficient given the size

and quality of the tree.

The proposal in terms of visual amenity, streetscape and ecology, would have a serious and detrimental impact on the streetscape and would be contrary to the NPPF and UDP Policies EN1/2 Townscape and Built Design, EN6/3 Features of Ecological Value and EN8 Woodland and Trees and EN8/1 Tree preservation Orders.

Parking - It is recognised that the full quota of additional parking spaces, from 34 to 40, would not be possible with the retention of the TPO tree, however there is still the opportunity to increase both ambulance and car parking on the site, albeit less than that proposed.

It is noted that the ambulance service does have an informal arrangement with the United Reformed Church, directly across Bury Old Road, to use their car park (and in return, the church sometimes uses the NWS car park at weekends when required). Although informal, this arrangement clearly reduces parking pressures on the site.

It is also pertinent to note that the site is very sustainable in terms of public transport. Bury Old Road and Bury New Road, further to the west, are a major throughroutes with various bus services and Besses O'th Barn Metrolink Station is just over 200m away to the south east. Although there are no public car parks in the immediate vicinity, there is some on-street parking available around the site.

No details as to how the existing or proposed parking relates to the existing/proposed operations of the ambulance station were submitted with the application. It appears that the ambulance station has been operating without serious problems for a number of years and although it is clear that additional parking may be required, additional parking facilities, albeit on an informal basis, are available across the road, at the church.

Both National and local governments are keen to promote sustainable transport options and reduce the reliance of private cars, however no information was submitted with the application to indicate how more sustainable transport options have been pursued. In the absence of clear evidence that the site cannot operate without losing the tree and extending the car park, the proposal would be unacceptable and contrary to the NPPF and UDP policies should be resisted. Removing a large mature protected tree of significant amenity value within the streetscape should be a very last resort.

Residential Amenity - Given the limited number of additional parking spaces proposed, there are no serious issues arising in relation to residential amenity.

Public Representation/ Objection - Where appropriate, the issues raised by the objector with regard to the Sycamore Tree are addressed in the reason for refusal.

Summary - It is proposed to approve the replacement fence subject to tree protection measures but refuse the car park extension.

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

Proposal A 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.

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

Proposal B would not improve the economic, social and environmental conditions of the

DELEGATED REPORT

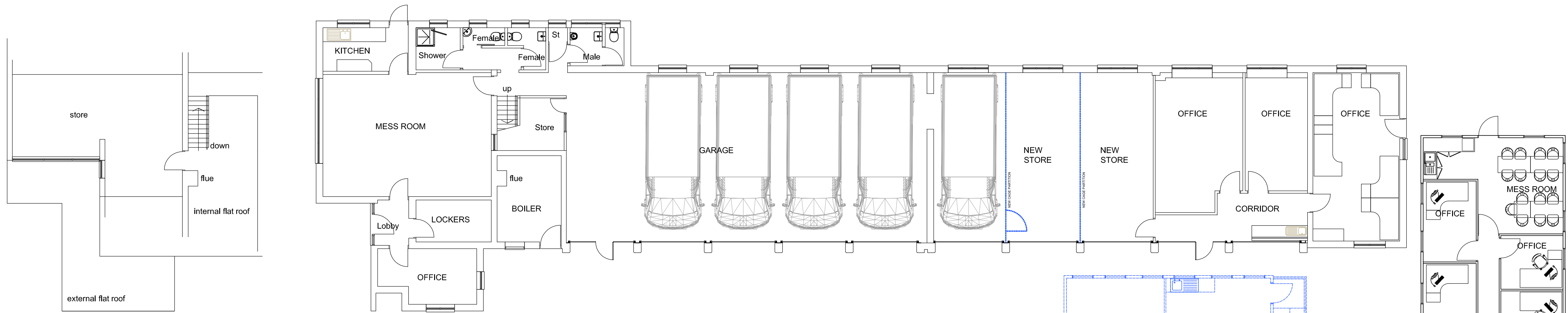
area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Split Decision

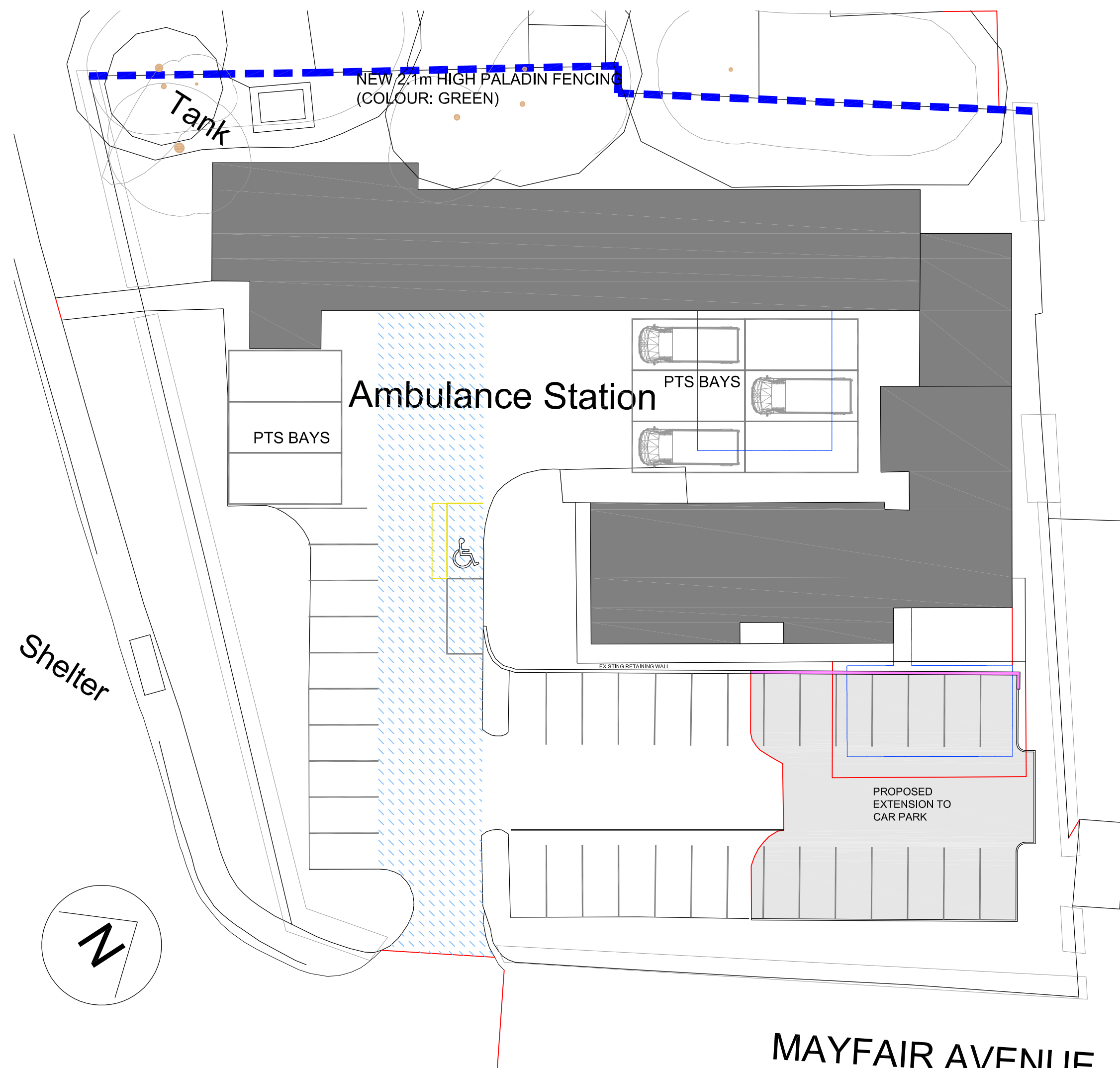
Conditions and Reasons:

- 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.
- 1 The proposed car park extension would result in the loss of a mature Sycamore tree that is subject of Tree Preservation Order No. 348. The loss of this tree would have a seriously detrimental impact on the general amenity and character of the area in which the application site is located. The development is therefore contrary to the NPPF and Unitary Development Plan policies EN1/2 Townscape and Built Design, EN6/3 Features of Ecological Value and EN8 Woodland and Trees and EN8/1 Tree preservation Orders.
- 2 This decision relates to drawings numbered 6329_P_A(90)_01, 6329_P_L01, 6329_P_L00, L002/B, L04, L05, L06, L07 and the development shall not be carried out except in accordance with the drawings as they relate to the approved fence.
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 trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

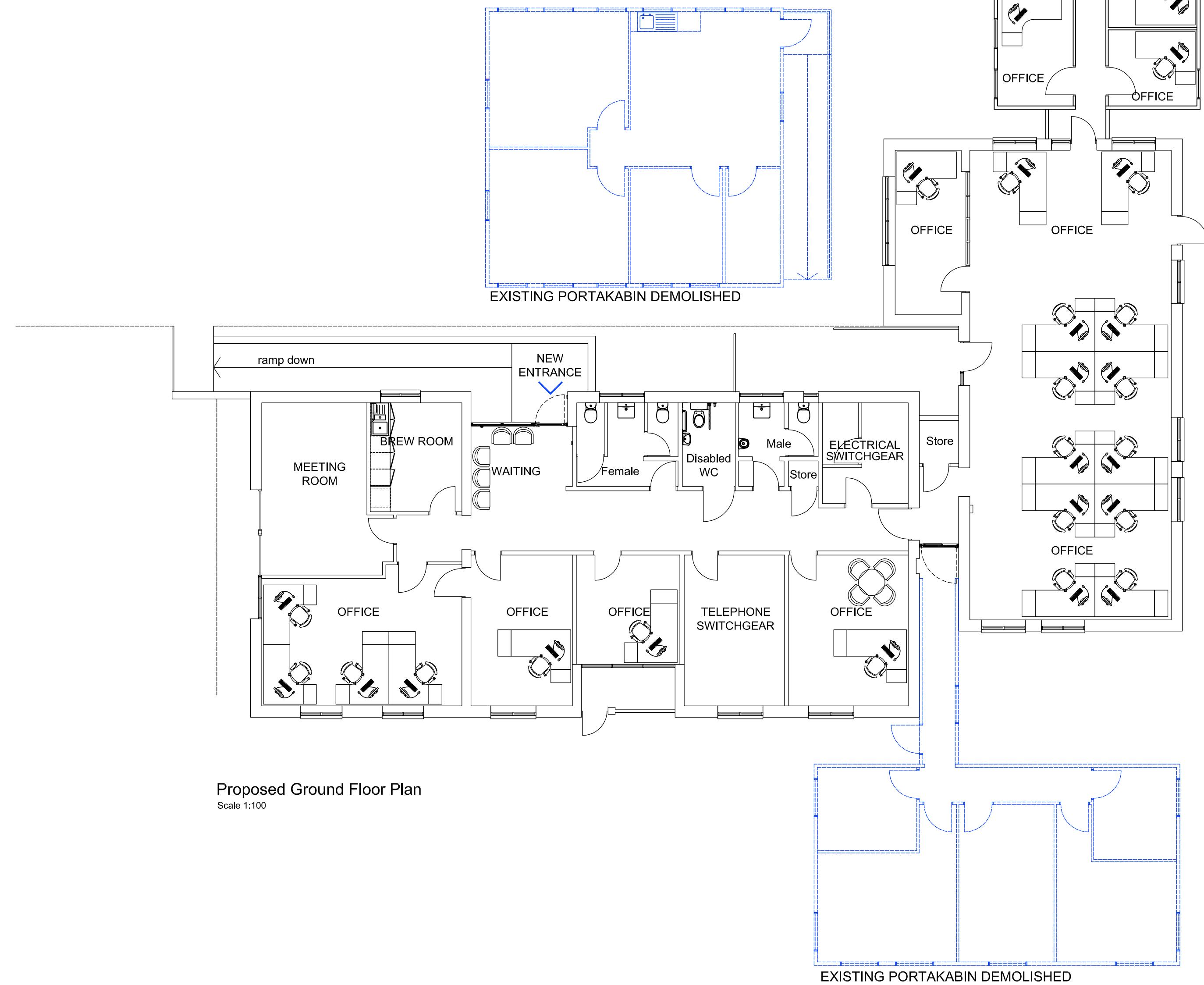
<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>



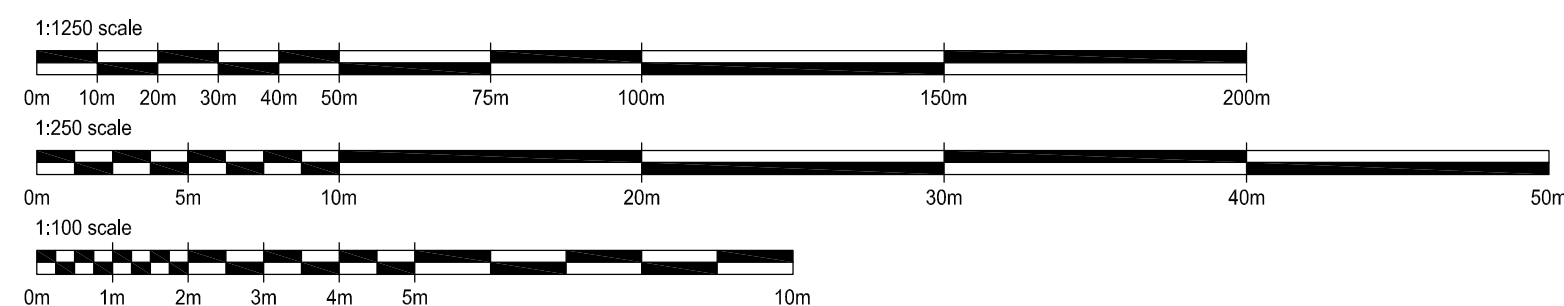
Proposed First Floor Plan
Scale 1:100



Proposed Site Plan
Scale 1:250



Proposed Ground Floor Plan
Scale 1:100



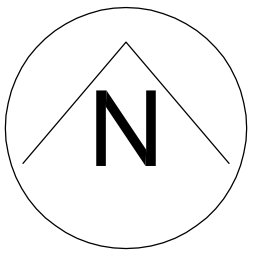
IMPORTANT

- © This drawing is copyright and remains the property of this practice
- Do not scale this drawing
- All dimensions to be checked on site
- Positions of existing services to be confirmed prior to proceeding

REVISION STATUS

S: Information issued for feasibility or scheme design
T: Information issued for tender purposes only
C: Information issued for Construction
NB: Only those drawings containing a C revision to be used for construction

NOTES



Location Plan
Scale 1:1250

B 12/03/19 ALTERATIONS TO LAYOUT

REVISION	DATE	DESCRIPTION

CLIENT
North West Ambulance Service

PROJECT
Whitefield Ambulance Station

DRAWING TITLE
Proposed Floor & Site Plans

SCALE	DATE	DRAWN	CHECKED
1:100@ A1	Feb'19	GH	BC

DRG NO.	REVISION
6329_P_L02	B

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