

Title	Planning Applications
To:	Planning Control Committee
On:	17 December 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: Bury East	App No. 64093
	Location: Former Magistrates Court, Tenters Street, Bury, BL9 0HX	
	Proposal: Conversion of the existing building to 39 no. apartments and erection of 10 no. townhouses with associated landscaping works	
	Recommendation: Minded to Approve	Site Visit: N
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02	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 64552
	Location: Rear of 85 Carr Street, Ramsbottom, Bury, BL0 9EG	
	Proposal: Erection of 1 no. dwelling with vehicular access off Tanners Street	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Radcliffe - East	App No. 64570
	Location: 69 Blackburn Street, Radcliffe, Manchester, M26 1WG	
	Proposal: Change of use of former public house/retail unit to 2 no. 5 & 6 bed houses of multiple occupation (HMO) (Class C4) with two storey rear extension and external alterations	
	Recommendation: Approve with Conditions	Site Visit: N
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04	Township Forum - Ward: Prestwich - Sedgley	App No. 64642
	Location: 72 Park Road, Prestwich, Manchester, M25 0FA	
	Proposal: Erection of 4 no. storey block of 9 no. flats with basement car parking and landscaping	
	Recommendation: Approve with Conditions	Site Visit: Y
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05	Township Forum - Ward: Bury East - Redvales	App No. 64721
	Location: 221 Manchester Road, Bury, BL9 9HJ	
	Proposal: Change of use from dwellinghouse (Class C3) to 7 person house in multiple occupation (HMO)	
	Recommendation: Approve with Conditions	Site Visit: N
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06	Township Forum - Ward: Whitefield + Unsworth - Unsworth	App No. 64741
	Location: 23 Hillsborough Drive, Bury, BL9 8LE	
	Proposal: Demolition of existing dwelling and erection of replacement dwelling	
	Recommendation: Approve with Conditions	Site Visit: N
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07	Township Forum - Ward:	Ramsbottom and Tottington - Ramsbottom	App No.	64778
	Location:	Land adjacent to 7 Salmsbury Hall Close, Ramsbottom, Bury, BL0 9FG		
	Proposal:	Erection of 1 no. dwelling and detached garage		
	Recommendation:	Approve with Conditions	Site Visit:	N
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08	Township Forum - Ward:	Ramsbottom and Tottington - Ramsbottom	App No.	64787
	Location:	27-29 Bridge Street, Ramsbottom, Bury, BL0 9AD		
	Proposal:	Change of use from banking/financial services (Class A2) to restaurant & cafe (Class A3), drinking establishment (Class A4) and 1 no. apartment (Class C3) with internal alterations and construction of new principle entrance		
	Recommendation:	Approve with Conditions	Site Visit:	N
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09	Township Forum - Ward:	Bury East - Redvales	App No.	64789
	Location:	Land to south of Central Avenue & Keswick Drive, Bury		
	Proposal:	Erection of walls between 1.5m & 3.5m in height to form a flood defence		
	Recommendation:	Approve with Conditions	Site Visit:	Y
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10	Township Forum - Ward:	Bury West - Church	App No.	64816
	Location:	121 Lowercroft Road, Bury, BL8 3PA		
	Proposal:	Change of use from dwellinghouse (Class C3) to residential care home (Class C2)		
	Recommendation:	Approve with Conditions	Site Visit:	N
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Ward: Bury East

Item 01

Applicant: Welcome Estates Ltd

Location: Former Magistrates Court, Tenters Street, Bury, BL9 0HX

Proposal: Conversion of the existing building to 39 no. apartments and erection of 10 no. townhouses with associated landscaping works

Application Ref: 64093/Full

Target Date: 19/08/2019

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement to include an overage clause in relation to recreation provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan and affordable housing in accordance with Policy H4/1 of the Bury Unitary Development Plan. Should the agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the Development Manager.

Description

The site contains a building, which was last used as a magistrate court. The building is modern in design and is 2 to 4 storeys in height. The building is constructed from grey, buff and red brick with cladding and a tile roof. There is a large car park to the front of the building with access from Tenters Street and one to the rear of the building, which is accessed from Walshe Street. The site slopes from east to west and there is an access to the basement from Fold Street.

There is a nursery to the east with a dual carriageway (Jubilee Way) beyond. There are residential properties to the north. There are dwellings and a hall to the west and a school and dwellings to the south.

The proposed development involves the conversion of the existing magistrates court building to 39 apartments and the erection of 10 separate dwellings.

The proposed building would be converted to provide 22 x 1 bedroom units and 17 x 2 bedroom units. Parking would be provided at the rear and would be accessed from Walshe Street.

The proposed dwellings would be three storeys in height and would be located along the eastern boundary of the site. The proposed dwellings would be constructed from buff brick and concrete roof tiles. The proposed dwellings would be accessed from the existing access on Walshe Street with a pedestrian access from Jubilee Way. The existing trees on Jubilee Way would be retained.

Relevant Planning History

54362 - Installation of external air cooled chiller at Bury magistrates Court, Tenters Street, Bury. Approved with conditions - 3 October 2011.

54695 - Non-material amendment following of planning permission ref. 54362 for removal of external louvres on two elevations and infill with matching brickwork in connection with installation of air cooled chiller at Magistrates Court, Tenters Street, Bury. Approved with conditions - 5 January 2012.

Pre-application Enquiry

02230/E - Conversion of ground and first floor of existing building to apartments. Basement

conversion to retail unit and storage units, erection of 11 townhouses and associated landscaping works. Enquiry completed - 22 January 2019

Publicity

The neighbouring properties were notified by means of a letter on 21 May 2019 and a press notice was published in the Bury Times on 30 May 2019. Site notices were posted on 24 May 2019.

A petition containing 20 signatures have been received, which has raised the following issues:

- There is already a high volume of traffic on Millett and Tenterden Street from the schools, nursery and surrounding businesses. This area is gridlocked at least twice a day.
- There are a high number of children in the area and the high volume of traffic will cause significant health and safety concerns.
- The majority of residents have 1-2 cars each. It is difficult to park outside your own house. Will any additional space be provided for parking?
- There will be an increase of 50 -100 cars.
- The development is not in keeping with the local area.

2 letters have been received from the occupiers of 65 Millett Street and Dream Big Little One, Tenterden Street, which have raised the following issues:

- Welcome the redevelopment of the empty buildings, but object to 49 dwellings.
- Access points are limited and an increase in vehicular traffic will pose a risk to children visiting the nursery with their parents.
- The area is already gridlocked at key points in the day due to the large schools in the area.
- The proposal would mean an additional 50 to 100 vehicles in an already overcrowded area.
- The design of the dwellings are not in keeping with the area or sympathetic to the buildings in the area.
- The only access to the area is via Tenterden Street, which is already gridlocked twice a day. Any extra traffic would make this worse.

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

Statutory/Non-Statutory Consultations

Traffic Section - Comments will be reported in the Supplementary Report.

Drainage Section - No response.

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

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

Environmental Health - Pollution Control - No response received.

Environmental Health - Commercial Section - No response received.

Waste Management - No response.

Environment Agency - No response received.

Design for security - No response received.

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

Electricity North West Ltd - No response received.

GM Fire Service - No objections.

Transport for GM - No objections, subject to the inclusion of condition relating to a travel plan.

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

Urban Renewal - No response received.

Performance & Housing Strategy - No response received.

Children's Services - No response received.

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

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT2/6	Replacement Car Parking
HT5/1	Access For Those with Special Needs
TC2/3	Vacant and Cleared Sites
Area	Tentersfield/Millet Street/Tenterden Street
BY1	
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD15	Residential Conversions
NPPF	National Planning Policy Framework

Issues and Analysis

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

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

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

residential developments.

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

Policy TC2/3 states that the Council is concerned that vacant and cleared sites should not detract from the overall appearance of the town centres. Where it appears that sites may remain undeveloped for some time, the Council will support proposals for their temporary use or improvement prior to their long term redevelopment.

The site is located within the urban area and there is residential development to the north, south and east. As such, the proposed development would not conflict with the surrounding land uses. The site is within walking distance of public transport and is in a sustainable location. The site contains a vacant building, which was last used as a magistrates court and an area of hardstanding and is previously developed land. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Design and layout - The proposed conversion works would result in minor changes to the elevations by the addition of windows and doors where required. As such, the proposed development would not impact upon the character and appearance of the original building.

The proposed dwellings would be located adjacent to the road (Jubilee Way) and would reflect the existing terraced properties in the locality. The proposed dwellings would be three storeys in height and would be constructed from buff brick and a concrete tile roof, which would match the existing building. The use of asymmetrical pitched roofs, vertical proportioned windows, juliet balconies and the staggered building line would add visual interest to the elevations and would break up its massing and not appear to be out of context.

Therefore, the proposed development would assimilate appropriately into the area and would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - All of the proposed apartments would have access to the communal garden at the side/rear of the existing building and the proposed dwellings would have a private rear garden area. There would be a suitable level of private amenity space and there would be space within the gardens and within the proposed apartment building for bin storage.

The existing brick walls with railings above would be retained on the north, south and west boundaries. 1.8 metre high timber fencing would be erected around the proposed townhouses. The proposed boundary treatments would be appropriate to the surrounding area. As such, the proposed development would not be an inappropriate feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

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

There would be a minimum of 31 metres between the rear elevation of the proposed development and the existing dwellings fronting onto Millett Street. There would be a minimum of 38 metres between the proposed development and the existing dwellings on Sankey Street. Both of these distances would be in excess of the relevant aspect standards.

There would be 19.5 metres between the proposed development and the school building. Whilst this would be slightly below the 20 metre aspect standard, the proposed development

would utilise existing windows and as such, the proposed development would be no worse than the existing relationship.

There would be 20 metres between the proposed dwellings and the proposed apartments, which would comply with the 20 metre aspect standard.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

Ecology - The main ecological issues for the proposed development would be bats and the loss of trees.

The proposed development would not result in any changes to the external elevations or roof of the building. As such, even if bats are present in the building, they would be unaffected by the proposal.

The loss of the semi-mature trees and associated bird nesting habitat should be mitigated as part of the landscaping for the proposed development. GM Ecology Unit has no objections, subject to the inclusion of conditions relating to nesting birds and landscaping plan. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Trees - The trees along the frontage of the site with Jubilee Way would be retained and this is welcomed. The trees in the middle of the car park at the front would be removed. These trees are all poor quality and do not have a TPO and as such, their removal would be acceptable subject to replacement trees being provided. The proposed landscaping plan indicates that 13 trees would be planted in this area to replace those removed.

Additional trees would be planted in the rear car park and the communal space located at the side/rear of the building. Therefore, the proposed development would not change the overall character of the area and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Highways issues - The proposed development would be accessed from the two existing accesses on Walshe Street and the current access from Tenters Street would be closed. There would be appropriate visibility provided. The applicant has confirmed that the basement of the building would be used for storage in conjunction with the residential units.

Whilst it is noted that there are 4 schools and a nursery accessed off Tenterden Street, the existing building could re-open as a health centre, creche, place of worship, training centre or law court without requiring planning consent. All of these uses would generate traffic and most would generate a high levels of traffic at specific times of the day. The proposed residential development would generate traffic, but this would be spread out throughout the day. Comments from the Traffic Section will be reported in the Supplementary Report.

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 for dwellings are:

- 1 spaces for a 1 bedroom dwelling
- 1.5 spaces for a 2 bedroom dwelling
- 2 spaces for a 3 bedroom dwelling

This equates to 68 spaces for the proposed development.

The plans indicate that the proposed development would provide a total of 65 spaces, which includes 59 spaces, 2 disabled parking bays and 4 spaces for electric vehicle charging points. Cycle parking would be provided and there would be 20 spaces for the proposed

apartments and 14 spaces for the proposed dwellings.

The proposed development would represent a reduction of 3 spaces from the maximum provision. Given that the site is located within walking distance of the town centre and public transport and the cycle parking provided, the level of parking provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Planning obligations - The following planning obligations would be required:

- A contribution of £86,557.85 would be required towards recreation in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1. This amount is based upon 39 apartments and 10 townhouses
- 25% of the total number of units (12.25) would need to be affordable units in accordance with Policy H4/1 of the Bury Unitary Development Plan and SPG5.
- 10% of the 13 affordable units must be for home ownership.

The applicant has submitted a viability appraisal, which has been independently assessed. The assessment has concluded that the proposed development would not be viable with the planning obligations and has recommended that the proposed development should proceed with no obligations, subject to an overage clause being included in any legal agreement.

The applicant has agreed to the overage clause.

Response to objectors

- The issues relating to design, traffic generation and parking have been addressed above.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during 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: 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 numbered DA18100.001.3, DA18100.002.1, DA18100.003.1, DA18100.005.1, DA18100.006.1, DA18100.007.1, DA18100.010.2, DA18100.011.2, DA18100.014.2, DA18100.015.1, DA18100.016.1, DA18100.017.1, DA18100.2.002.2, DA18100.3.002.1, DA18100.201., 52535/1, 508.01A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted

to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to 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. Prior to the commencement of the development hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the building hereby approved.

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

7. 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

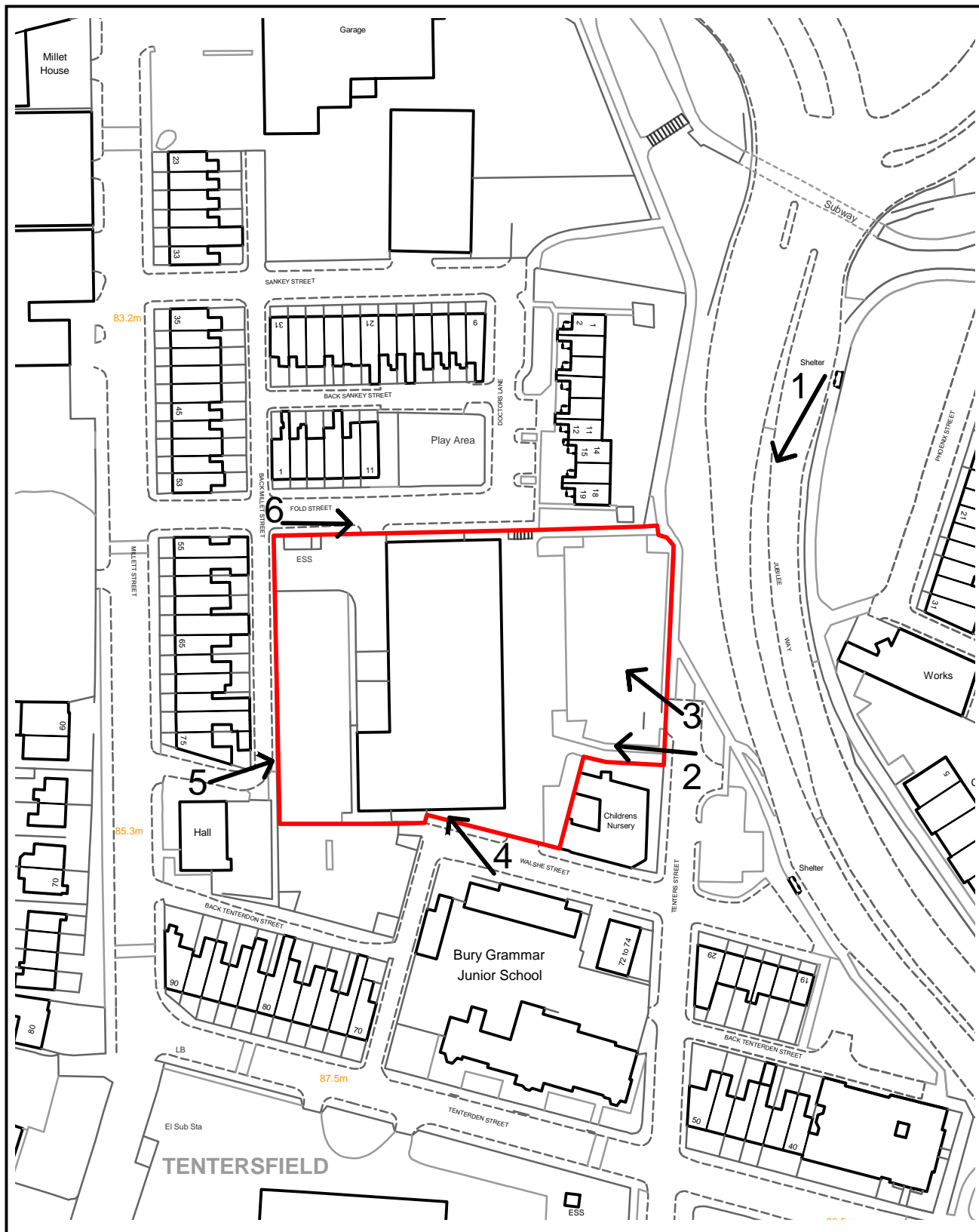
change, flooding and coastal change of the NPPF.

8. 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.
9. Within 6 months of the occupation of the development, a detailed travel plan will be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented to an approved timetable.
Reason. A detailed travel plan has not been submitted and to deliver sustainable transport objectives in accordance with Section 4 of the National Planning Policy Framework.
10. 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.
11. Notwithstanding the plans submitted, a landscaping scheme, to include elements to mitigate for loss of trees, shrubs and bird nesting habitat, shall be submitted to, and approved in writing 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. Details of mitigation for loss of trees and nesting bird habitat has not been provided and 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.
12. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
13. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to occupation of any of the dwellings hereby approved.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
14. The refuse storage facilities shall be implemented and made available for use prior to the first occupation of any of 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 Policies:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64093

ADDRESS: Former Magistrates Court, Tenterden Street, Bury

Planning, Environmental and Regulatory Services

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



Bury
COUNCIL

64093

Photo 1



Photo 2



64093

Photo 3



Photo 4



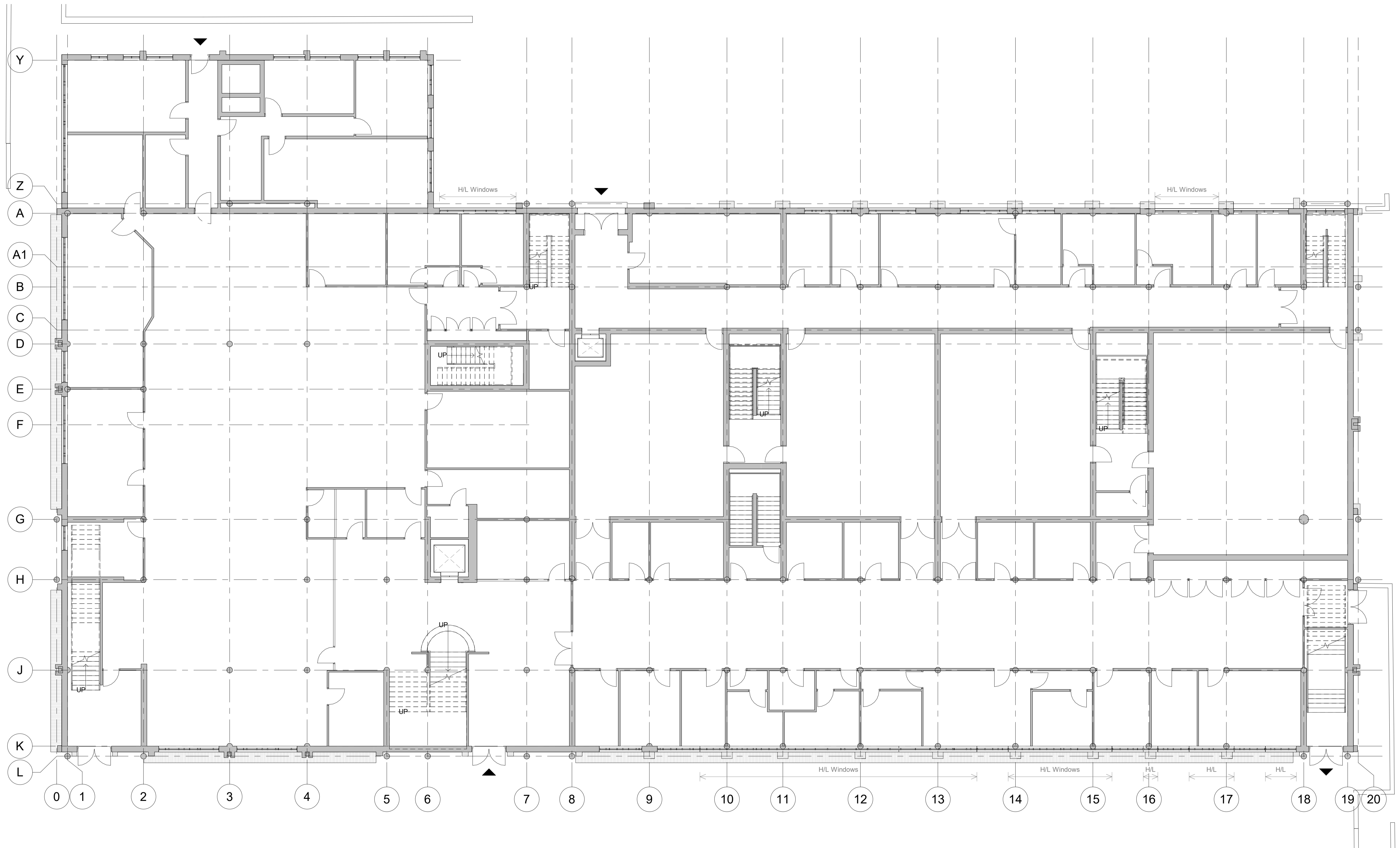
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Photo 5

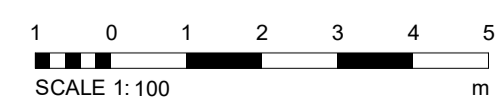


Photo 6

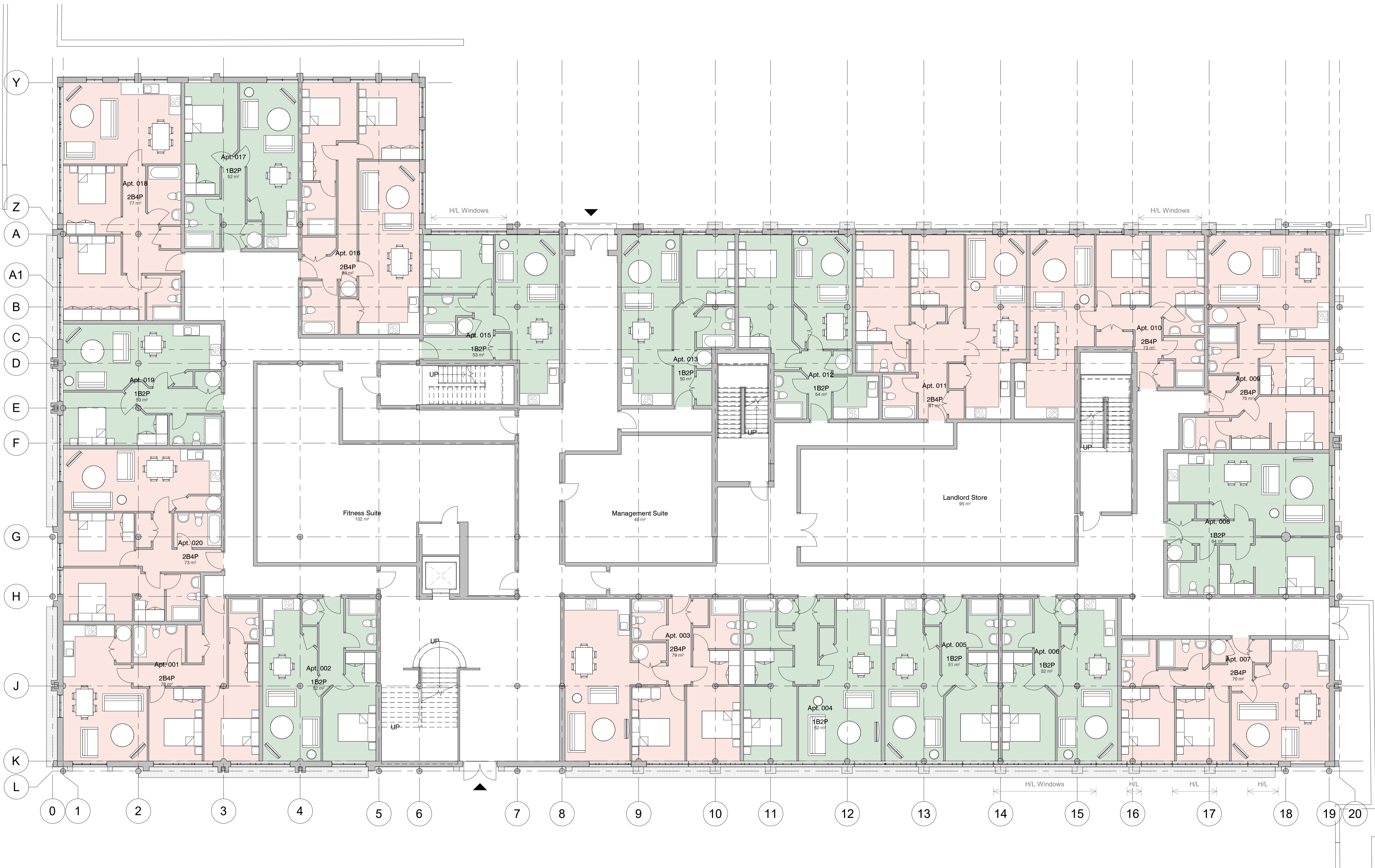




1. Level 0 - GA Existing
1:100



PROJECT		DA1800 - Magistrates Court
CLIENT		Cassel & Fletcher
TITLE		Existing GA Plans - Ground Floor
PROJECT NO.	DRAWING NO.	REV.
DA18100.	002.	1
NOTES		
THIS DRAWING MUST NOT BE REPRODUCED WITHOUT WRITTEN CONSENT. ALL DIMENSIONS ARE GIVEN TO THE CENTRE UNLESS OTHERWISE STATED. ANY DISCREPANCIES TO BE REPORTED TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF ANY WORK. ALL WORKING DIMENSIONS TO BE IN ACCORDANCE WITH THE BRITISH STANDARDS FOR DIMENSIONS AND PRACTICE AND BRITISH STANDARDS FOR DIMENSIONS AND PRACTICE.		
DA DEBTAL ARCHITECTURE		
77 BURY NEW ROAD, MANCHESTER, M20 2GU T: +44 (0)161 773 1850 E: OFFICE@DEBTAL.CO.UK W: WWW.DEBTAL.CO.UK		



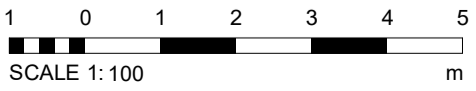
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1 : 100

By Occupancy Legend

1B2P
2B4P

Schedule - Apartments - Occupancy by Level - Level 0		
Level	Occupancy	Count
LEVEL 0	1B2P	10
LEVEL 0	2B4P	9
		19

Schedule - Apartments - Occupancy Totals	
Occupancy	Count
1B2P	22
2B4P	17
39	



PROJECT
DA1800 - Magistrates Court

CLIENT
Cassel & Fletcher

TITLE
Proposed GA Plans - Ground Floor

DA DEBTAL | ARCHITECTURE

77 BURY NEW ROAD, MANCHESTER, M20 6AU
T: +44 (0)161 773 1850 E: OFFICE@DEBTAL.CO.UK W: WWW.DEBTAL.CO.UK

2 Planning Issue Status
1 Window addition and FF and removal

REV DESCRIPTION DATE BY DATE

SCALE @ A1
1 : 100

DATE
31 Oct 2018

DRAWN BY
SP

STATUS
Planning

PROJECT NO.
DA18100.

DRAWING NO.
010.

REV.
2

NOTES

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Drawing Issue Data		SP	27123.09
REV	Description	BY	DATE
SCALE	DATE	DRAWN BY	
1 : 100	31 Oct 2018	SP	
STATUS:			
Planning			
PROJECT NO.	DRAWING NO.	REV.	
DA18100.	003.	1	
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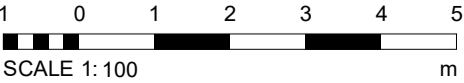
1. Level 1 - GA Proposed
1 : 100

By Occupancy Legend

- 1B2P
- 2B4P

Schedule - Apartments - Occupancy by Level - Level 1		
Level	Occupancy	Count
LEVEL 1	1B2P	12
LEVEL 1	2B4P	8
		20

Schedule - Apartments - Occupancy Totals		
Occupancy	Count	
1B2P	22	
2B4P	17	
	39	



PROJECT
DA1800 - Magistrates Court

CLIENT
Cassel & Fletcher

TITLE
Proposed GA Plans - First Floor

DA DEBTAL | ARCHITECTURE

77 BURY NEW ROAD, MANCHESTER, M20 2GU
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REV	DESCRIPTION	DATE	BY	DATE
1	Window addition and FF set removal	31 Oct 2018	SP	
2	Planning Issue Status			

STATUS
Planning

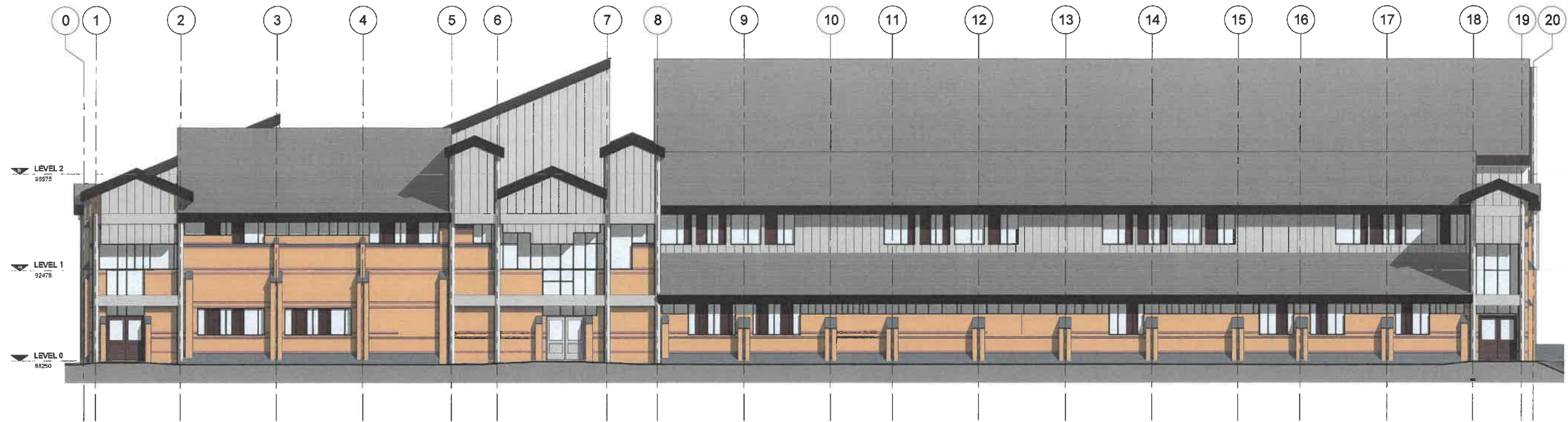
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DA18100.

DRAWING NO.
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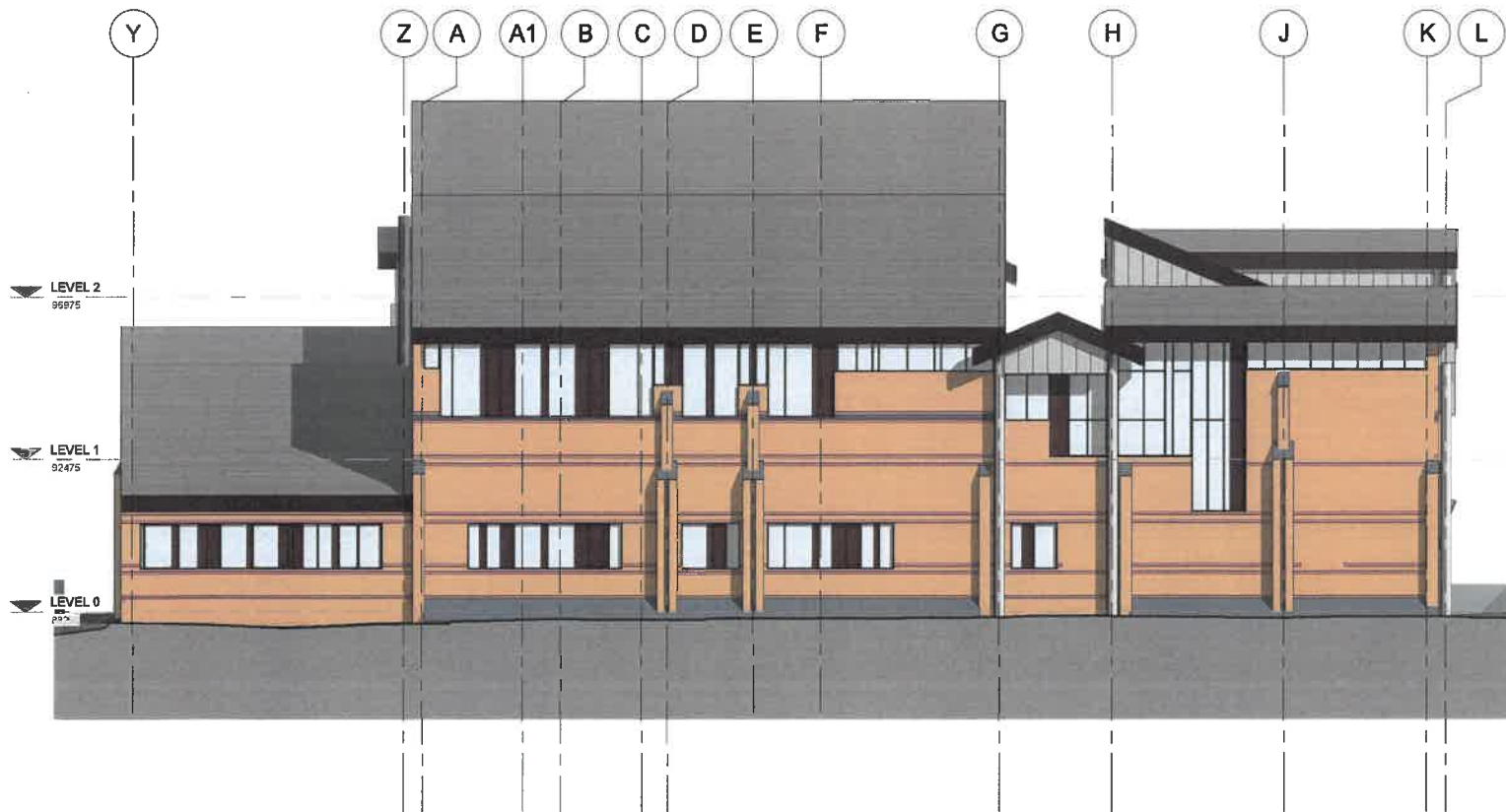
REV.
2

NOTES

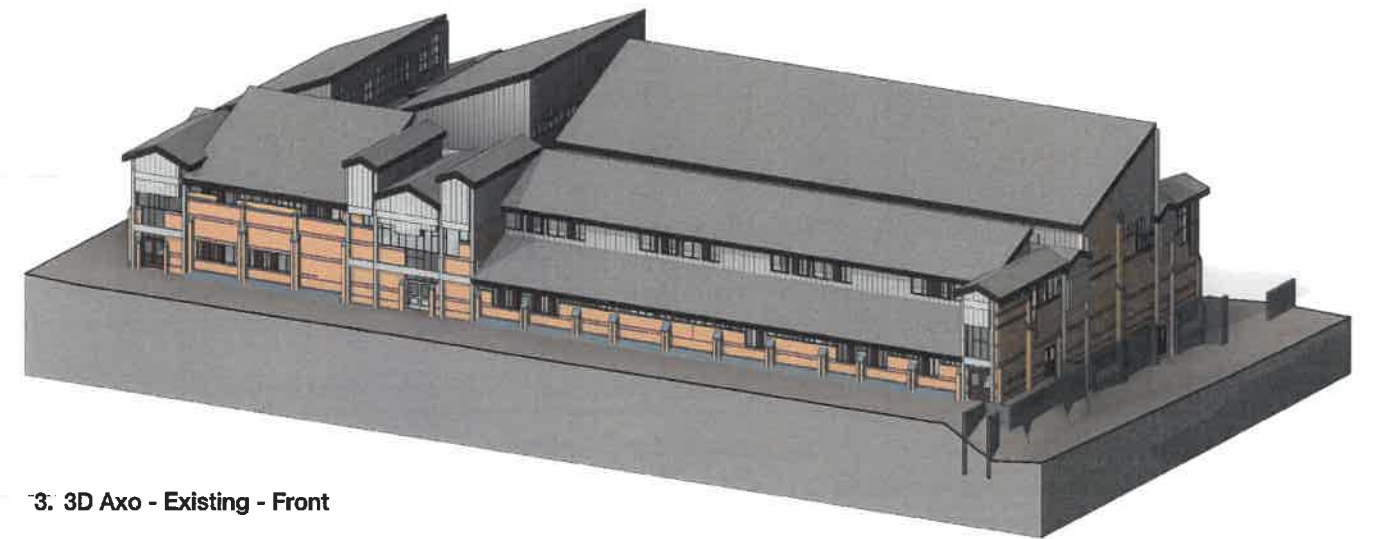
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1. Front - Existing
1:100



2. Left Side - Existing
1:100



3. 3D Axo - Existing - Front

1 0 1 2 3 4 5
SCALE 1:100

PROJECT
DA1800 - Magistrates Court

CLIENT
Cassel & Fletcher

TYPE
Existing GA Elevations - Front and Left

DA DEBTAL | ARCHITECTURE

DATE
31 Oct 2018

SCALE
1:100

PROJECT NO.
DA18100.006

REV.
1

NOTES

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.

2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

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PROJECT	MAGISTRATES COURT HOUSES	
SUBJECT	CASSEL & FLETCHER	
DATE	01 NOV 2018	
BY	DA181002.2	
PROJECT NO.	DA181002.2	
CHANGING NO.	002	
REV.	2	

LEGEND

VERTICAL ELEMENTS & BOUNDARY TREATMENTS

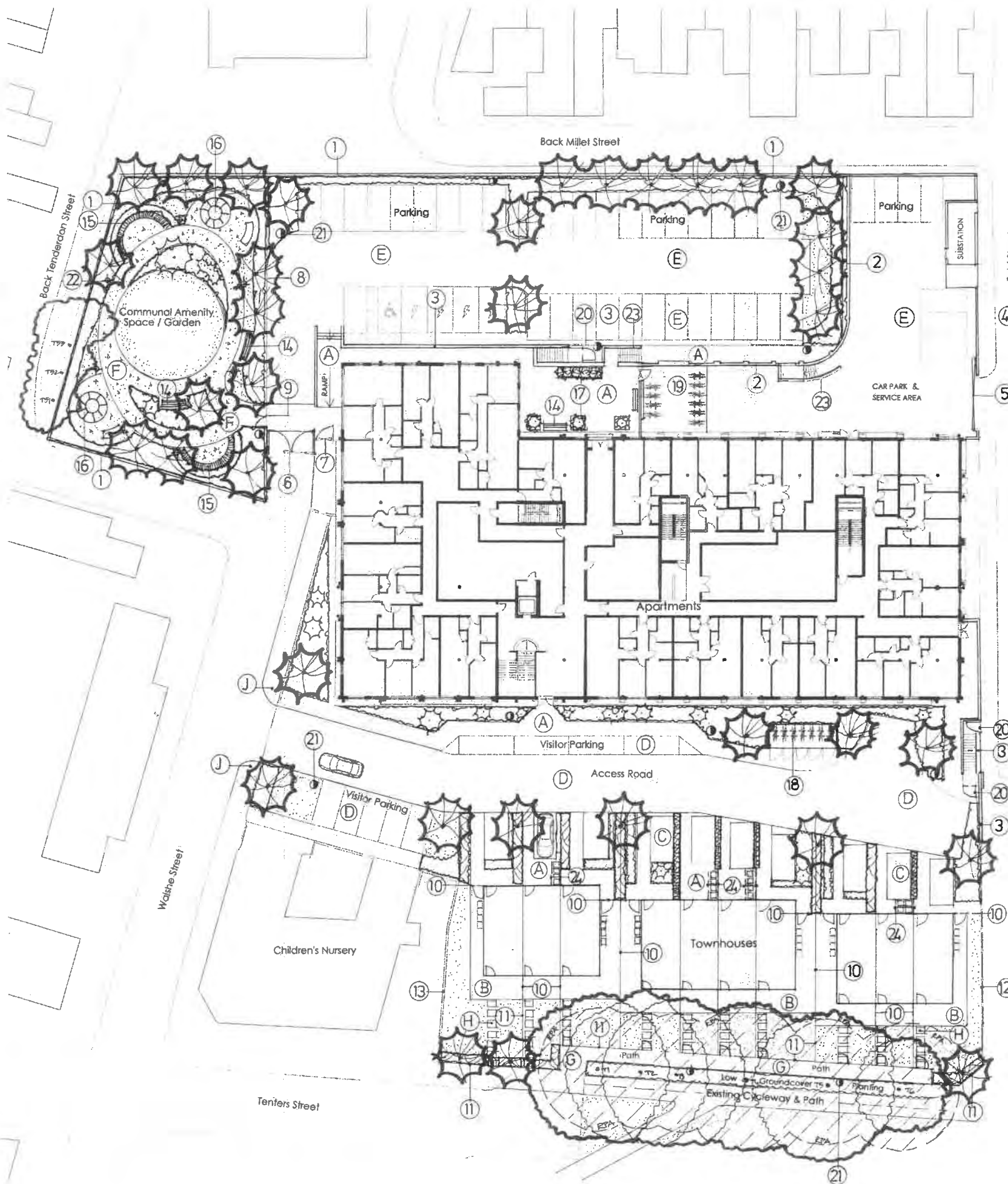
- 1 Existing engineering brick boundary wall (partly retaining wall) approx 1-1.2m Ht with vertical steel railings approx 1.8 m ht to top-retained & repaired & made good
- 2 Approx 1800mm ht above car park level (ht varies) engineering brick wall (partly retaining), with approx 1m Ht vertical steel railings to top - retained & made good
- 3 Existing brick walls with handrails to top-retained and handrails renovated and repainted or replaced
- 4 Approx 2m ht engineering brick walls to refuse/ service yard
- 5 Existing approx 2m Ht steel sliding gate to Service Yard retained
- 6 Existing approx 2m Ht vertical rail steel gate to main entrance retained/ realigned or renewed as necessary
- 7 Existing steel pedestrian gate retained or realigned as necessary
- 8 Proposed vertical steel railing fence to apartment residents garden/ communal amenity space
- 9 Proposed vertical steel railing gate to communal garden to match fencing
- 10 Proposed 1.8m Ht timber feather board privacy screen between townhouse patios, and between townhouse blocks, with matching access gates where indicated
- 11 Proposed 1.2 m ht timber feather board fence to townhouse gardens (matching gates)
- 12 Existing 1.8m Ht Timber Screen fence replaced in liaison with neighbour.
- 13 Existing low brick wall and low steel railing to Nursery property retained
- 14 Proposed seating benches
- 15 Proposed semi circular communal seating areas to communal garden
- 16 Picnic tables (and possibly BBQ plinths) to residents garden
- 17 Freestanding planters to podium entrance court
- 18 Covered / lockable communal cycle storage for townhouses (for 14 cycles)
- 19 Covered secure cycle storage for apartments (20 cycles/10 Sheffield hoops)-Detail TBA
- 20 1.8 m ht vertical steel railings and controlled access gates to steps
- 21 Lighting columns to car park and access road. Indicative locations only subject to design and specification by an electrical /lighting consultant
- 22 Lighting bollards to communal amenity space/residents garden. Indicative locations. Subject to design & specification by an electrical /lighting consultant
- 23 Proposed external access staircases, with brick walls to tie in with existing retaining walls
- 24 Proposed 1.2m Ht Timber Screen fence/ enclosure to bin areas on drives (detail TBA)

HARD SURFACES

- A Decorative concrete flag paving to access paths eg "Textured" buff colour flags by Tobemore or Marshalls Saxon paving, with matching pin kerbs laid flush
- B Flag paved patios to townhouses eg "Textured" buff colour flags by Tobemore or Marshalls Saxon paving
- C Tegula paving to individual townhouse driveways eg Tegula paving by Tobemore Bracken colour, with flush pin kerb edgings
- D Block paving eg Tegula paving by Tobemore, charcoal colour, to shared access road to townhouses
- E Bitmac or asphalt to vehicular areas (re-using existing where feasible) with concrete road kerbs, and thermoplastic line markings to parking bays etc
- F Proposed resin bonded or polyurethane bonded porous paving to residents garden paths/ seating areas
- G Communal path to townhouses within RPA's of existing trees. To be porous no dig construction eg K81 Flexistone polyurethane bonded porous paving, laid over porous MOT eg Type 2 or type 3 laid within a shallow "geogrid". Detail TBA in liaison with arboricultural consultant
- H Stepping stone flag paths within townhouse gardens to avoid tree root damage
- J Existing highway footpaths made good where necessary next to realigned entrance inc. dropped kerbs & tactile paving

Notes

- This drawing has been prepared for Planning purposes, and is not to be used for construction



PLANTING SCHEDULE				
KEY	TOWN SPECIES	Common Name	SPECIFICATION	NO/M2
PROPOSED TREES (INC. WILDLIFE VALUE, FLOWERS/ POLLEN, FRUIT /BERRIES)				
ACE ARE	Acar campestre Arends	Uniform Field Maple variety	Extra Heavy Standard	
AME ROB	Amelanchier arborea Robin Hill	Snowy Mespilus/ Serviceberry	1.5-1.8 cm girth, 4.5-6.25m Ht	
BET PEN	Betula pendula	Silver Birch	2.1m clear stem, wire root balled (N.B. Container grown or Air Pot	
BET JAC	Betula jacquemontii	Himalayan Birch	if planted April to October	
LIQ STY	Liquidambar styraciflua	Sweetgum		
PYR CHA	Pyrus x callieriana Chanticleer	Uniform Street Pear		
PRU AUT	Prunus subhirtella Autumnalis	Small Cherry variety		
SOR JOS	Sorbus Joseph Rock	Small Rowan variety		
SOR ROS	Sorbus Aucuparia Rossica Major	Uniform Rowan Variety		
TIL GRE	Tilia cordata Green Spire	Uniform Small leaved Lime		
SPECIMEN SHRUBS				
ACES SAN	Acer palmatum Sango kaku	Japanese Maple Variety	50L 150-175cm Multi stem	
AME LAM	Amelanchier lamarcia	Snowy Mespilus	50L 150-175cm Multi stem	
COT GRA	Colinus Caggyria Grace	Smoke Bush Variety	15L 60-80cm	
FIAM MOL	Hammamells mollis Pallida	Wych Hazel	50L 150-175cm Multi stem	
MAG STE	Magnolia stellata	Star Magnolia	50L 150-175cm Multi stem	
PHO DUE	Phormium Duet	New Zealand Flax Variety	15L 60-80cm	
PHO SUN	Phormium Sundowner	New Zealand Flax	25L 100-125cm	
PHO YEL	Phormium Yellow Wave	New Zealand Flax	15L 60-80cm	
PROPOSED HEDGES				
FAG SYL	Fagus sylvatica	Native Beech	3L /R8 /or BR 90-120cm	6/ 1m
TAX BAC	Taxus baccata	Native Yew	R8 80-100cm ht. Bushy	2-3/1m
LOW HEDGES/EDGING PLANTS				
BUX SEM	Buxus sempervirens	Box	40-50cm ht. R8 or 2-3L Bushy	4/ 1m
PROPOSED ORNAMENTAL SHRUBS & GROUNDCOVERS (SPECIES OF WILDLIFE VALUE FLOWERS/ POLLEN, BERRIES)				
BER COR	Bergenia coralifolia	Elephant Ears	2L full pot	5/m2
BUD BLU	Buddleia Blue Chip	Dwarf groundcover butterfly bush	3L 20-30cm	4/m2
CEA BLU	Ceanothus Blue Mound	Ceanothus Shrub	3L 30-40cm	4/ m2
CHO SUN	Chaetochrysa Sunshine	Chaetochrysa variety	3L 20-30cm	3/m2
CHO TER	Chaetochrysa Temata	Mexican Orange Blossom	3L 30-40cm	3/m2
DRY AFF	Dryas octopetala Crested Fern	White flowered Hebe	2L 20-30cm	4/m2
HEB AUT	Hebe Autumn Glory	Hebe variety	2L 20-30cm	5/m2
HEB RAK	Hebe rakaiensis	White flowered Hebe	2L 20-30cm	5/m2
HEB MID	Hebe Midsummer Beauty	Mauve flowered Hebe	3L 30-40cm	4/ m2
HEU MIN	Heuchera Mint Julep	Heuchera variety	2L full pot	5/m2
ESC RED	Escallonia Red Elf	Dwarf Escallonia variety	3L 30-40cm	4/ m2
EVO EME	Euryymous Emerald Gaiety	Groundcover Euryymous	2L 20-30cm	5/m2
LAV HID	Lavandula spica Hidcole	Lavender	2L	7/m2
LIR BIG	Liriope muscari Big Blue	Large flowered Liriope variety	2L	5/m2
LON PIL	Lonicera pileata	Groundcover Honeysuckle	2L 20-30cm	4/m2
MAH APP	Mahonia aquifolium Appalo	Groundcover	3L 30-40cm	4/m2
MIS GRA	Miconthus Gracillius	Grass Variety	3L 30-40cm	4/ m2
PIR FUM	Prunus mugho Purnito	Dwarf Pine	3L 30-40cm	4/m2
PRU TAB	Prunus Tabelelana	Dwarf Laurel variety	3L 30-40cm	3/m2
RUD FUL	Rubuscula fulgida	Black Eyed Susan	2L	5/m2
SAN CHA	Santolina chamaecyparissus	Cotton Lavender	2L 20-30cm	5/m2
SEN SUN	Senecio Sunshine	Senecio	3L 30-40cm	3/m2
SKI RUB	Silimma japonica Rubella	Silimma	3L 30-40cm	4/m2
VER BON	Verbena bonariensis	Purple Vervain	2L	5/m2
VIB DAV	Viburnum davidii	Groundcover viburnum	3L 30-40cm	4/m2
VIN VAR	Vinca minor Variegata	Variegated Great Periwinkle	2L 30-40cm	5/m2
WIE FOL	Wiegela folis Purpureus	Purple foliaged Wiegela	3L 30-40cm	4/m2
PROPOSED LAWNS & GRASS AREAS				
To receive 200mm depth approved quality topsoil, over decompacted / free draining sub soil, cultivated and seeded with Geminal Seeds A6 Supradense mix, at a rate of 40g/m2 inc Basatop Fair OSA pre seed fertilizer or tined with an approved quality shade tolerant turf				

LEGEND

EXISTING TREES AND PROPOSED SOFT LANDSCAPE ELEMENTS

- Existing trees retained and protected during works with temporary protective fencing in accordance with BS5837:2012 Fig 2. To be aligned on edge of Tree Root Protection (RPA)s. Refer to Rowbottoms Tree Services Tree Report and Tree Constraints Plan for alignments of RPA's and details of existing trees.
- Protective fencing to be erected in advance of building construction phase and retained in place until latter part of contract. Existing Block paving within RPAs also to be retained in place as additional protection during construction phase up to the RPA line.
- Then in external landscape phase to townhouse gardens (fences, lawns, paths, communal path) protective fences to be realigned and all external works within RPA including removal of block paving, fencing post installation, installing new paths, topsoil etc. to be subject to a method statement by Arboricultural Consultant (re construction procedures, 'no dig' path construction, hand digging of fence posts, ground works, topsoiling etc) to minimise damage to tree roots.
- Proposed Extra Heavy Standard Trees planted in 1.5m x 1.5m 700mm depth pits, double stake & cross bar tie
- Proposed Hedges- Native Beech / Native Yew-planted in 450mm depth x 700mm wide topsoil beds (excluding kerb edgings and haunchings)
- Proposed Low Hedges eg. Box Edging - planted in 400mm depth x 500mm wide topsoil beds
- Proposed Shrubs, and Groundcover Planting, and Specimens in 400mm depth topsoil beds, with 600mm2 pits for specimens, including species of value to wildlife
- Proposed Grass Areas within RPAs of existing trees, to receive 150mm+ depth topsoil, to be Greenleaf Green Tree Topsoil to BS3882: 2015. (friable soil re tree root aeration) and a shade tolerant turf or Shade tolerant grass mix eg. Geminal Seeds A6 Supradense Mix. at a rate of 40g/ m2 inc Basatop Fair Pre-seed fertilizer ; or a shade tolerant turf from reputable supplier.
- Proposed Grass Areas to Communal Garden to receive 150- 200mm topsoil over a de-compacted and free draining subsoil base

LANDSCAPE PROPOSALS

PROPOSED RESIDENTIAL DEVELOPMENT, BURY MAGISTRATES COURT, BL9 OHX

DEBTAL ARCHITECTS

CLIENT : CASSEL & FLETCHER

Date : March 2019 Scale : 1:250 at A1 Drawn : MT Draw No. 508.01A

Margaret Twigg Dip LA CMLI

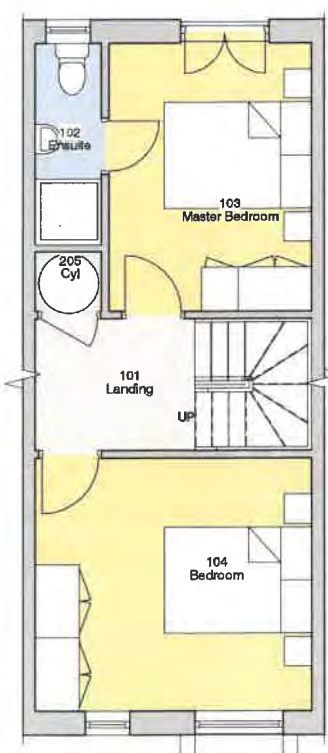
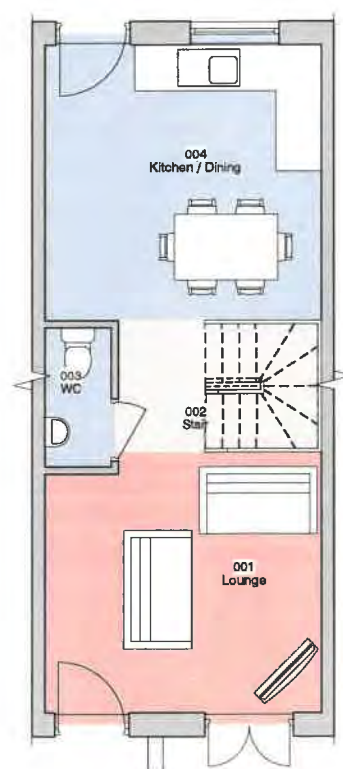
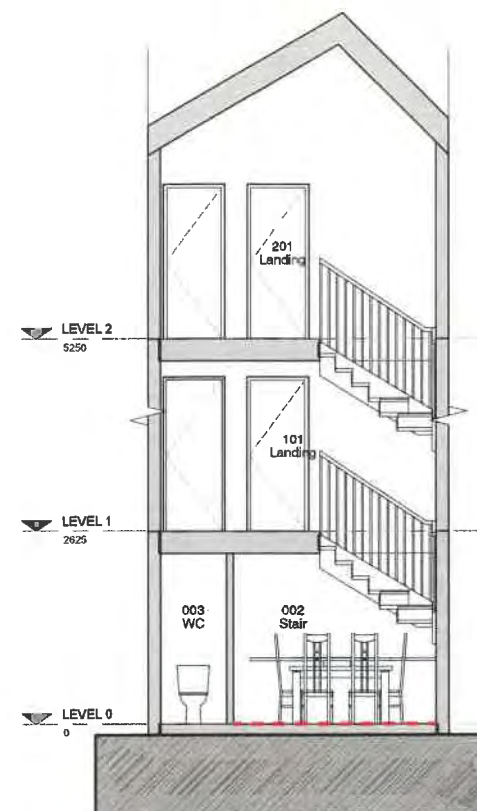
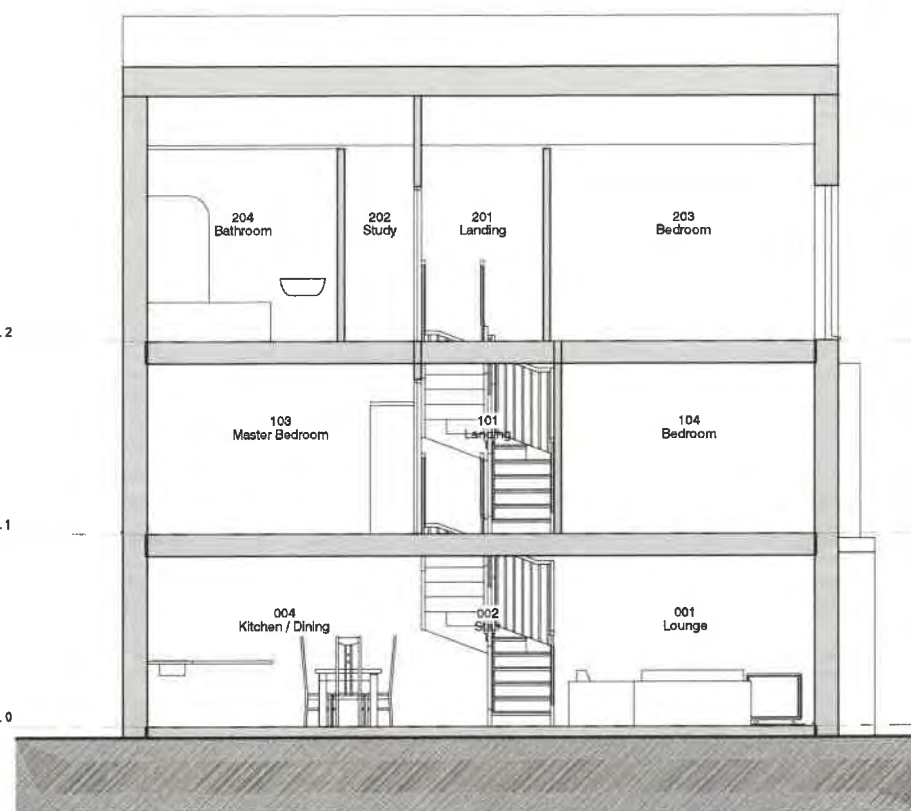
Chartered Landscape Architect

18 Brayton Avenue • Didsbury • Manchester • M20 5LP

Telephone and Facsimile: 0161 445 8369

E-Mail: margaret@margarettwigg.co.uk

Rev A: Landscape Proposals and Legend revised to accommodate latest Architects Site Layout, including revision to number and layout of townhouses and enhancement to associated driveway landscape; introduction of additional parking to Apartments in lower level area; and introduction of two external access staircases. MT 13.05.19



Note Block - Elevations - GA

- 1 Clay facing brickwork, Colour TBA.
- 2 Grey vertical cladding, Laminate board or similar.
- 3 Composite entrance door.
- 4 Feature entrance canopy, Dark grey, Material TBA.
- 5 uPVC french doors, Dark Grey frame.
- 6 uPVC windows, Dark Grey frame. With clear (and opaque) panels.
- 7 Feature window surround, Dark grey, Material TBA.
- 8 Metal Juliette balcony railing.

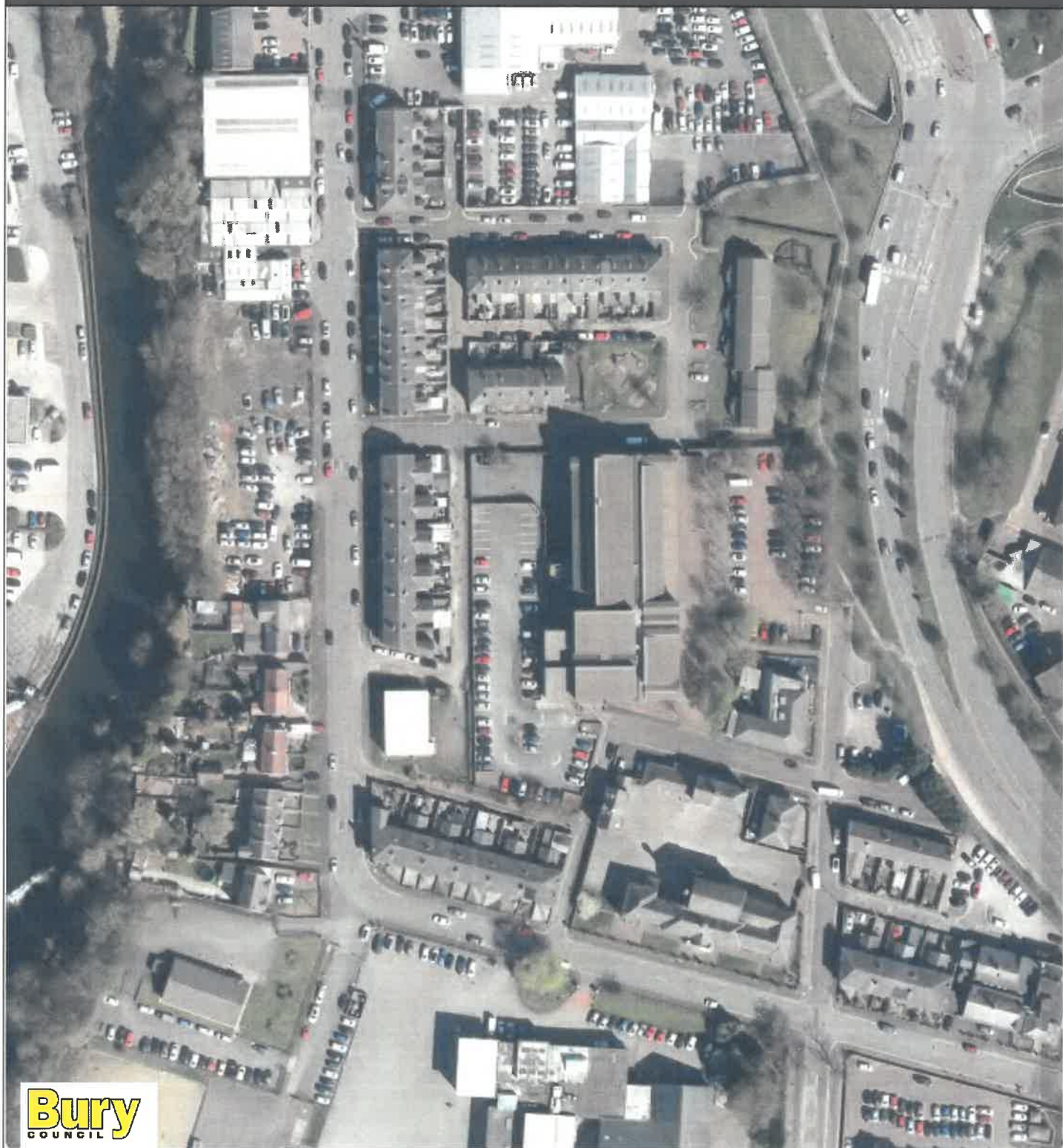
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SCALE 1:50 m

DA DEBTAL | ARCHITECTURE

PROJECT
Magistrates Court - House Typ. Plot
Cassel & Fletcher
Proposed GA Plans and Elevations

DATE
01 Nov 2018
SP
1:50
Planning
DA18100.3. 002. 1

NOTES
1:50 DRAWING SET FOR THE PROPOSED HOUSE. ALL RIGHTS RESERVED. ALL INFORMATION IS PROVIDED FOR THE PROPOSED HOUSE. ALL INFORMATION IS PROVIDED FOR THE PROPOSED HOUSE. ALL INFORMATION IS PROVIDED FOR THE PROPOSED HOUSE.



Production Date: 04 Dec 2019

Scale 1500 *when printed at A4*

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Notes

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Mr Hardcastle

Location: Rear of 85 Carr Street, Ramsbottom, Bury, BL0 9EG

Proposal: Erection of 1 no. dwelling with vehicular access off Tanners Street

Application Ref: 64552/Full

Target Date: 08/10/2019

Recommendation: Approve with Conditions

Description

The application relates to the rear garden of 85 Carr Street, a detached two storey house on the corner of Carr Street and Tanners Street. The rectangular plot measures 0.14ha and has a frontage onto Tanners street of approximately 32m. It comprises a central lawned area with a mix of shrubs small trees around the boundary. The main lawn area is at a lower level and slopes up to Tanners Street and at the rear, drops away quite steeply down towards Grant Mews. The site is within a residential area to the west of Ramsbottom Town Centre and characterised by a mix of stone built houses. Although the site is not within the Conservation Area it is adjacent to it. To the north, at a lower level, is the applicant's house. To the west are the gardens of properties on Grant Mews. To the south, fronting Tanners Street is a small private parking area and across Tanners Street to the west are the gardens running up to a pair of semi-detached houses. To the south of the gardens are a row of two storey stone terraced houses (12-24 Tanners St).

The application proposes the siting of a single, split level 2/3 storey 3-bed detached house within the garden area, to the south of the main house at 85 Carr Street. The new house would be traditional in design and appearance with a natural coursed stone finish, pitched slate roof and an integral garage, set back into the site. A new pedestrian and vehicular access would be formed from Tanners Street. In order to obtain the required visibility splays from the vehicular access, the existing wall/fence along Tanners Street would need to be reduced in height on the north side and set back by about 1m from the back of the footway.

Relevant Planning History

01882/E - Proposed building of 4/5 bed house in existing garden - Enquiry completed 13/09/2016

Publicity

Press and site notices posted 22/08/19 and 19/08/19 respectively. The following 21 neighbours were notified by letter dated 13/08/19.

Nos.4B, 94, 96 Carr Street, Nos.2, 12-18(even), 49 Tanners Street, 22-26 Grant Mews, 1 Manor Street, 38-48 Rostron Road.

Twelve objections have been received from Nos.12, 14, 16, 18 and 22 tanners Street, 40, 48 Rostron Street, 10, 22 and 26 Grants Mews, 13 Coulthurst Street and 5 Mount Street. Objections are summarised below:

- The proposal would be contrary to the NPPF and UDP Policies.
- The house is not 'affordable' and would not satisfy local housing needs and demand for smaller houses.
- The proposal would worsen the existing traffic and parking problems in the area by reducing on-street parking.
- The site is on a blind bend and would be hazardous to other vehicles and pedestrians.
- The proposal is out of keeping with the surrounding Conservation Area and listed

buildings.

- The house is too big and inappropriate given the topography and geography of the site and surroundings.
- It would be built on a drainage area and would not be structurally sound.
- It would obscure and have a negative impact on views.
- It would lead to overlooking and the loss of privacy to neighbours.
- It would lead to the loss of daylight and overshadow neighbours on Grant Mews.
- Approval would set a precedent for similar development in future.
- A proposal for two properties on Tanners St, to the west of the site, was refused on appeal in 2006.

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

Statutory/Non-Statutory Consultations

Traffic Section- No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Conservation - No objection.

United Utilities - No objection.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/1	Visual Amenity
EN2/1	Character of Conservation Areas
EN7	Pollution Control
HT2/4	Car Parking and New Development
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
EN7/5	Waste Water Management
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.

Policy - Government guidance within chapter 5 of the National Planning Policy Framework is supportive of new housing in appropriate locations and where it does not have an adverse impact on the streetscape, neighbour amenity or other issues such as traffic, flooding. Small, windfall sites, it states, can make an important contribution to meeting the housing requirements of an area.

The following Unitary Development Plan policies are considered most relevant:

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

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

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.

EN2/1 - Character of Conservation Areas. The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas. The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

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

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

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

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

H2/2 - The Layout of New Residential Development

New residential development will be required to demonstrate acceptable standards of layout.

Factors to be considered when assessing proposals will include:

- a) car parking provision;
- b) access for both vehicles and pedestrians, and provision for public transport;
- c) the possible need for traffic calming measures;

- d) density;
- e) space about and between dwellings;
- f) landscaping and screening;
- g) protection/provision of trees and hedgerows;
- h) open space/children's play areas;
- i) design for safety and security;
- j) access/facilities for the disabled;
- k) the existence of any public rights of way.

H2/6 - Garden and Backland Development

The Council will not permit proposals which will result in the loss of private gardens and backland for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

When assessing proposals, special regard will be given to:

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

Principle - Policy H1/2 Further Housing Development states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses. The site is within the urban area, of sufficient size with available infrastructure and would be acceptable in principle subject to siting and design criteria and its impact on the adjacent conservation area.

Siting and Design within the Conservation Area - Although the site does not fall within the Ramsbottom Conservation Area, it is adjacent to it and therefore any development proposals should not have a detrimental impact on its character or appearance. The heritage statement and design and access statement, submitted with the application, adequately identifies the significance of the conservation area and assesses the impact the proposal would have on its setting.

The proposed site is of sufficient size to accommodate a single dwelling with adequate separation, parking and amenity space without appearing to constitute overdevelopment or be out of character within the locality which has a mix of different house styles and densities.

The traditional design and appearance of the proposed house is appropriate and reflects the predominant built form within the immediate area of stone built dwellings. With the natural stone and slate finish, it is considered to be appropriate within the streetscape and would not be out of character with the adjacent conservation area. The proposal would preserve the character and appearance of the conservation area and in terms of setting, would comply with paragraph 189 and 190 of the NPPF and UDP Policies EN1/1 Visual Amenity, EN1/2 Townscape and Built Design and EN2/1 The Character of Conservation Areas.

With regard to conditions of any approval, details and samples of the stone and type of coursing to be used should be submitted and approved in writing before commencement of any development. Coursing type and size of stone should be similar to that of the properties 12 to 24 Tanners Street.

Visual amenity and streetscape - The house is split level due to the land level dropping down at the rear, but would appear two storey from Tanners Street. With existing boundary planting retained where possible along the frontage, behind a new stone wall and new planting augmenting this, the house would appear in keeping within the streetscape. From the rear, the house would appear more prominent at the higher level but it would be partly screened by existing and new planting and would be viewed against the backdrop of mature trees on land across Tanners Street.

Given the siting of the house in the rear garden and the relationship to its neighbours and surroundings, it is considered appropriate to remove permitted development rights, thereby requiring any future extensions and alteration to require planning approval.

The proposal in terms of visual amenity and streetscape, would be acceptable and comply with the NPPF and UDP Policies EN1/1, EN1/2 and housing policies H2/1, H2/2 and H2/6.

Residential amenity - In terms of residential amenity, given the siting and alignment of the new dwelling on the Tanners Street frontage, the neighbours most impacted would be the applicant at No.85 Carr Street and the residents to the rear on Grant Mews.

With regard to the residents at 85 Carr Street, although the new house would take up a significant area of the private garden, a reasonably large area of garden would be retained at the rear of the house to provide private amenity space for the existing house.

The new dwelling would sit within the garden area above the area at the rear of Grant Mews that is used as 'remote' gardens for the residents. There would be increased overlooking of this area from the new house but the areas are already overlooked and given distances involved and the existing and proposed boundary planting at the rear, this would not be so serious as to warrant refusal of planning permission.

Ecology - There are a number of small and medium trees and shrubs on the site and it is the intention to remove these where the access would be formed and provide a small garden area around the new house. As new landscaping and tree planting would be required to compensate for the loss of the existing vegetation on the site and to screen the development, it is not considered that the proposal would have a seriously detrimental ecological impact. If approved, conditions would require a landscaping plan to be submitted and another would prevent vegetation clearance during bird nesting season. Whilst it is unlikely that bats are roosting within the existing sheds on site, it is considered appropriate to attach an informative to any decision notice, stating that if evidence of bats is found, expert advice should be sought immediately.

Access and Parking - Adjacent to the site, Tanners Street, which is adopted, is relatively narrow with a carriageway width of approximately 4.5m. There is a footway abutting the boundary of the site on the west side of the road.

The proposed access would be centrally positioned along the site's Tanners Street frontage and would require visibility splays of 2.4m by 33m to either side. These can be achieved with the realignment of the existing boundary wall and would ensure that highway safety is not compromised. The proposed access arrangements and parking for 2/3 cars with turning is considered to be acceptable for house of this size and there are no objections from the Traffic Section, The proposal complies with UDP Policy H2/2 The Layout of New Residential Development and adopted parking standards.

Servicing - Bins would be stored on the drive/garage and collected from Tanners Street. As such it will comply with H2/1.

Objections - most of the issues raised by the objectors have been addressed in the above report. With regard to affordable housing, whilst this would be welcome, there is no requirement for a development of this size to be 'affordable'.

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 R-429-SLP, TRI-1881-01, R-0429-102/H, 103/J, 105/G 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 to be used in the external elevations, boundary walls and areas of hardstanding shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
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. Prior to the commencement of the development, a landscaping scheme shall be submitted to, and approved by the Local Planning Authority. 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 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.
5. 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.
6. 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. The scheme should take account of flows from adjoining land and shall not increase flows onto adjoining land considering the topography of the site and 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.

7. 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 E 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.
8. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials.
 - If proposed, site hoardings/inward opening gate positions to be located clear of visibility splays required to be provided at any temporary site access onto Tanners Street.
 - Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.
 - The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 Townscape and Built Design and HT4 New Development.
9. 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.

10. Following the provisions of condition 9 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.
11. The formation of the proposed access/footway crossing onto Tanners Street indicated on approved plan reference R-0429-103/J, incorporating the retention/provision of edgings to demarcate the limits of the adopted highway following removal of the affected boundary wall, driveway material and/or measures to prevent the discharge of surface water onto the adjacent adopted highway, provision of a sliding gate and all associated footway remedial works abutting the site required as a result of the proposed development and statutory undertakers connections to the dwelling, shall be implemented to a scheme to be submitted and approved by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the dwellinghouse.
Reason. To secure the satisfactory development of the site in terms of highway safety and maintain the integrity of the adopted highway.
12. The visibility splays indicated on approved plan reference R-0429-103/J shall be implemented in accordance with the approved plan before the driveway is brought into use and subsequently maintained free of obstruction above the height of 0.6m.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
13. The turning facilities indicated on approved plan reference R-0429-103/J shall be provided before the dwelling is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
14. The car parking indicated on approved plan reference R-0429-103/J shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the dwelling 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.
15. 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64552

**ADDRESS: Rear of 85 Carr Street
Ramsbottom**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64552

Photo 1



Photo 2



64552

Photo 3



Photo 4



64552

Photo 5



Photo 6



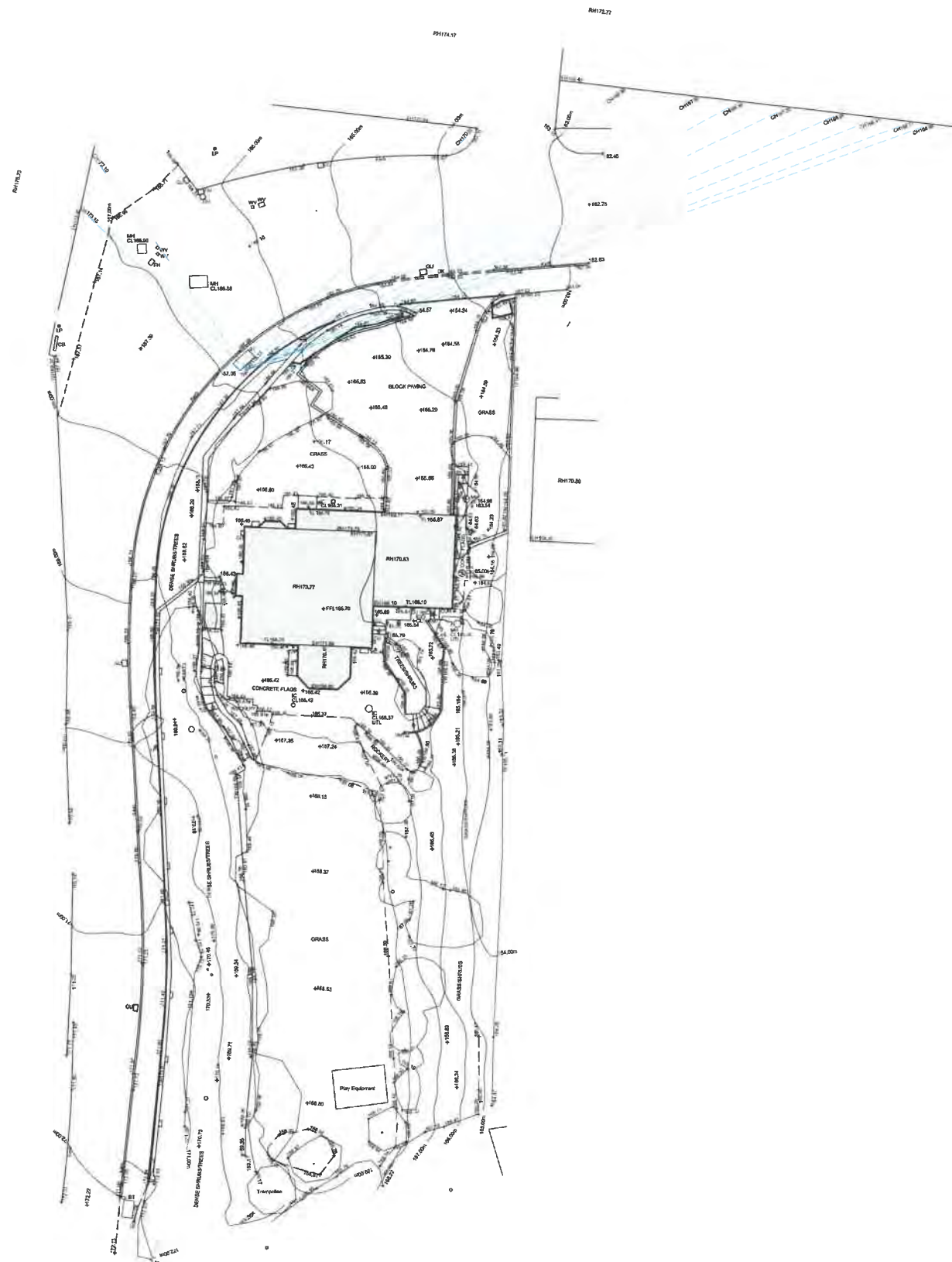
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Photo 7



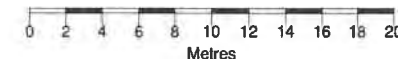
Photo 8





Notes

All Dimensions to be checked on site. Walls shown on plans are not to be assumed to be solid & should be checked for thickness, construction, load bearing capacity & stability.



ABBREVIATIONS

BT	BT Cover
CB	Control Box
CH	Cable Height
CL	Cover Level
DK	Drop Kerb
EH	Eaves Height
FH	Fire Hydrant
FFL	Finished Floor Level
GU	Gully
IC	Inspection Cover
IL	Invert Level
LP	Lamp Post
MH	Man Hole
RH	Ridge/Roof Height
RWP	Rain Water Pipe
SVP	Soil Vent Pipe
TF	Top of Fence
TL	Threshold Level
TP	Telegraph Pole
TW	Top of Wall
UTL	Unable to Lift
WV	Water Valve

NOTE

All levels and coordinates refer to OSGB36(12) using OSMS data.
Levels defining edge of Carriageway are clipped at channel bottom at kerbs.

Rev.0 Description. Issued



2 Berkshire Close | Wilpshire | Blackburn | Lancashire | BB1 9NG
tel 01254 614055 fax 01254 209754 e-mail sales@tricadsolutions.co.uk

Site Address

85 Carr Street
Ramsbottom

Project Description

Site Survey

Drawing Title

Existing Site Layout

Scale	Date	Drawn By
1:200@A1	08/12/2016	AD

Drawing Number

TRI-1881-01

NOTES

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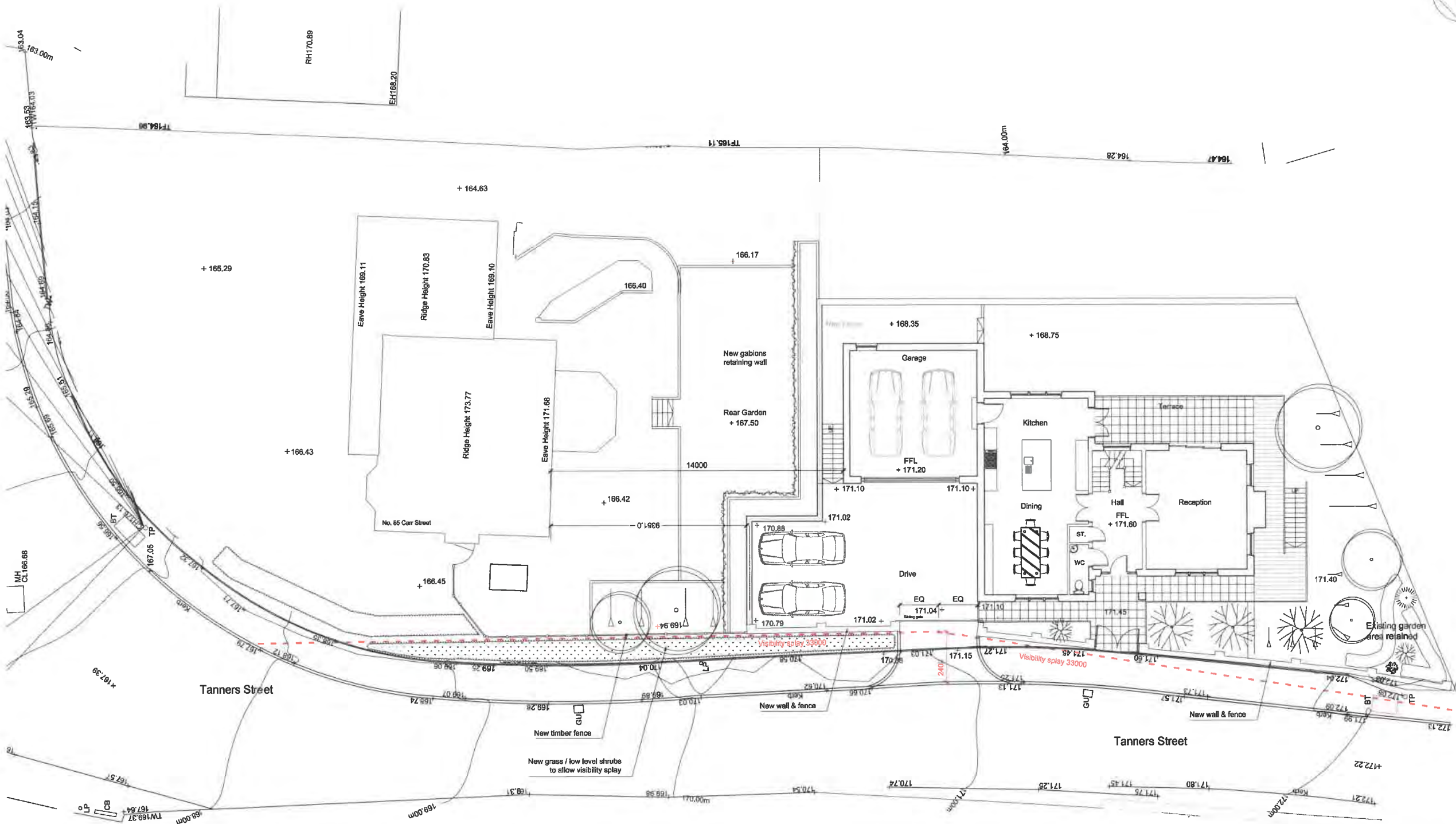
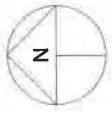
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Any discrepancies are to be reported to the architect for clarification.

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

This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



J	Updated visibility splay & fence to suit Planning request	14.11.2019
H	Updated kitchen, dining room, external fence wall & shrubs to clients comments	29.10.2019
G	Improved visibility splay, updated trees on site on existing & proposed site	22.10.2019
F	Indicated Sight Lines	02.09.2019
E	Planning fence	09.08.2019
REV	DESCRIPTION	CHECK DATE

CLIENT
Mr & Mrs T.Hardcastle

PROJECT
Proposed Dwelling in Grounds of
85 Carr Street Ramsbottom

DRAWING
Proposed Site Plan

SCALE 1:100	DATE March'18	DRAWN LY	CHECKED
DRAWING NO. R-0429-103	CAD REFERENCE NO.	REVISION J	



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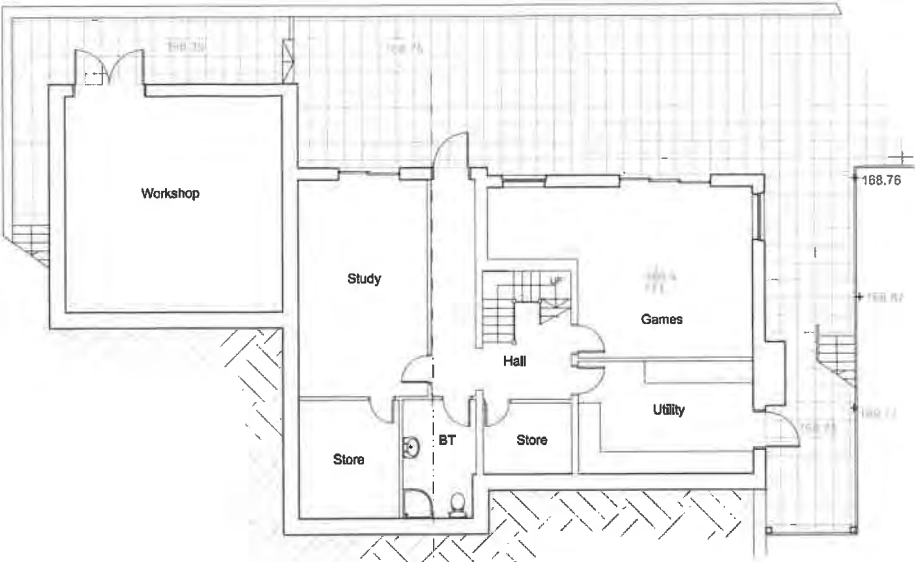
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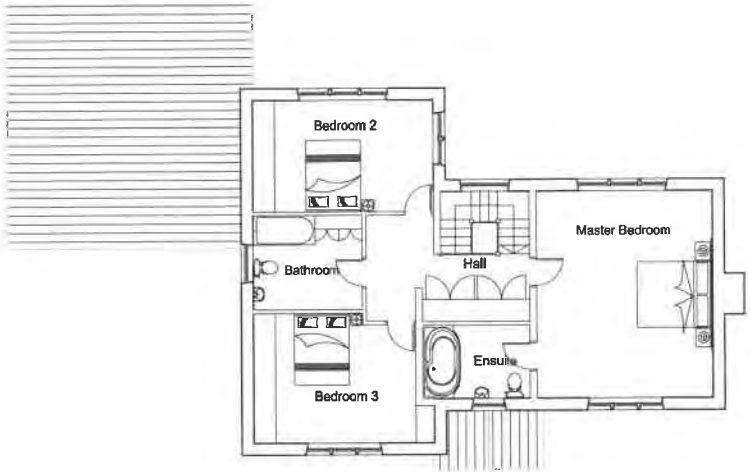
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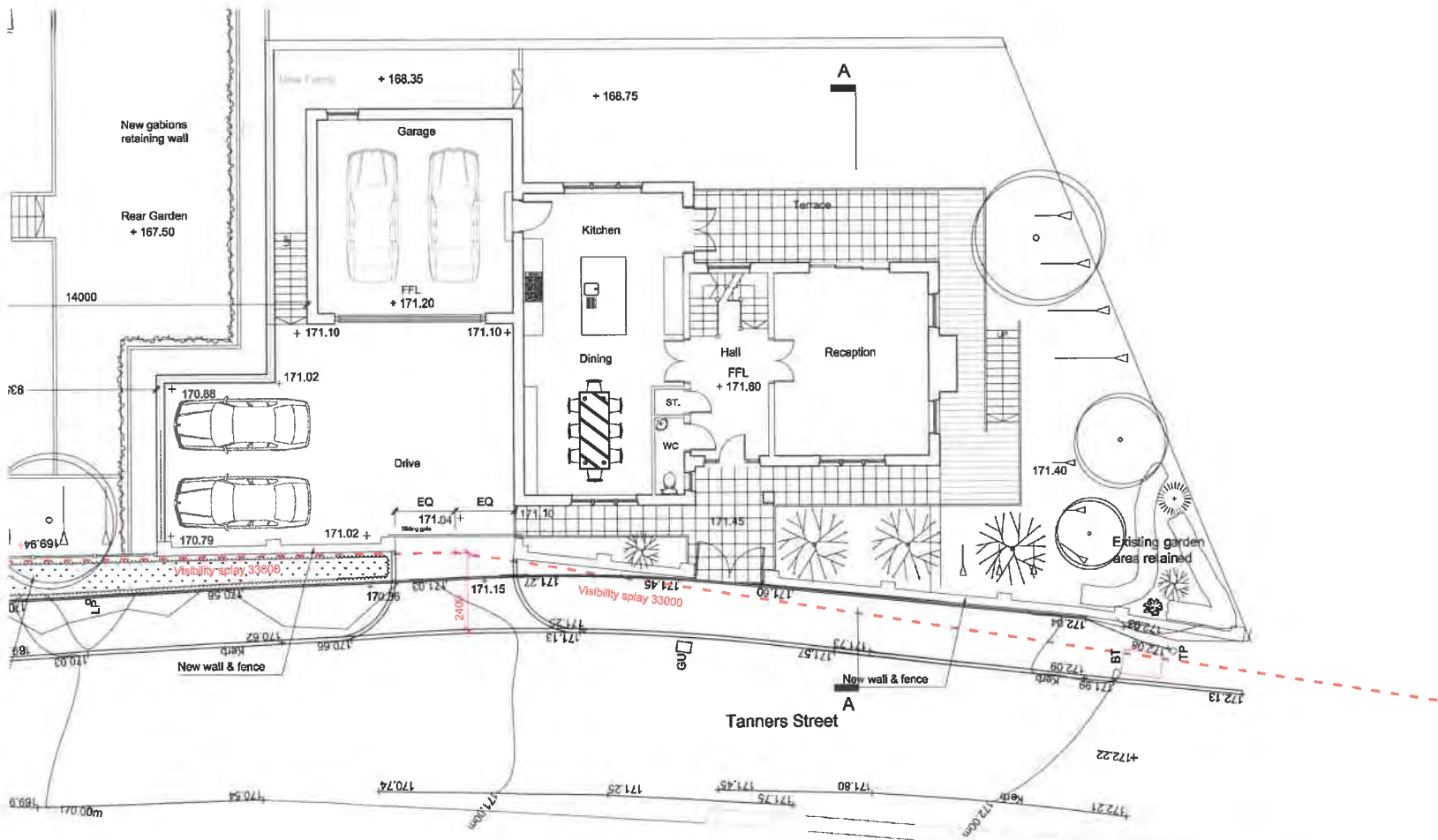
This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



Proposed Lower Ground Plan



Proposed First Floor Plan



Proposed Section A-A

H	Updated external fence & shrubs to updated visibility splay to Planning request	14.11.2019
G	Updated kitchen, dining room, external fence wall & shrubs to client's comments	25.10.2019
F	Approved visibility splay, updated trees on site in existing, lowered root, detailed site & landscaping	22.10.2019
E	Planning issue	01.04.2019

REV	DESCRIPTION	CHECK	DATE
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CLIENT
Mr & Mrs T.Hardcastle

PROJECT
Proposed Dwelling in Grounds of
85 Carr Street Ramsbottom

DRAWING
Proposed Floor Plans & Section A-A

SCALE	DATE	DRAWN	CHECKED
1:100	March'18	LY	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0429-101		H	



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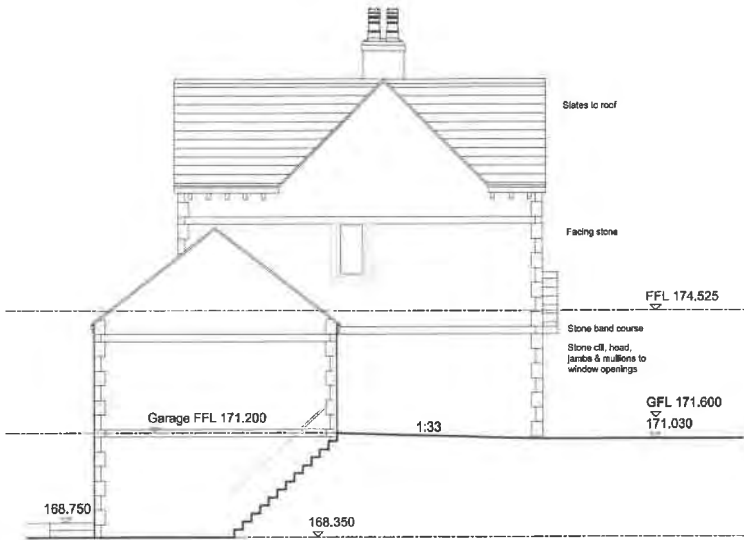
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Any discrepancies are to be reported to the architect for clarification.

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

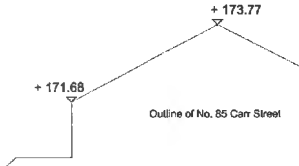
This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



Proposed North Elevation



Proposed East Elevation



Proposed South Elevation



Proposed West Elevation

H	Added pillars to garage door	26.11.2019
G	Updated window sill height to client's comments	20.10.2019
F	Lowered roof, tweaked windows, stonework & porch details	22.10.2019
E	Planning issue	08.08.19

REV	DESCRIPTION	CHECK	DATE
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CLIENT
Mr & Mrs T. Hardcastle

PROJECT
Proposed Dwelling in Grounds of
85 Carr Street Ramsbottom

DRAWING
Proposed Elevations

SCALE	DATE	DRAWN	CHECKED
1:100@A1	March'18	LY	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0429-102		H	



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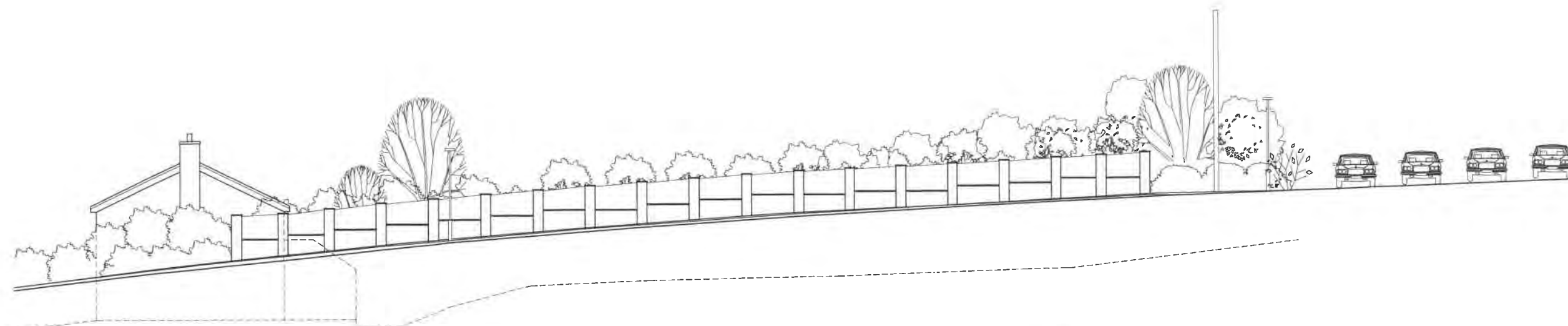
Do not scale from this drawing.

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

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

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

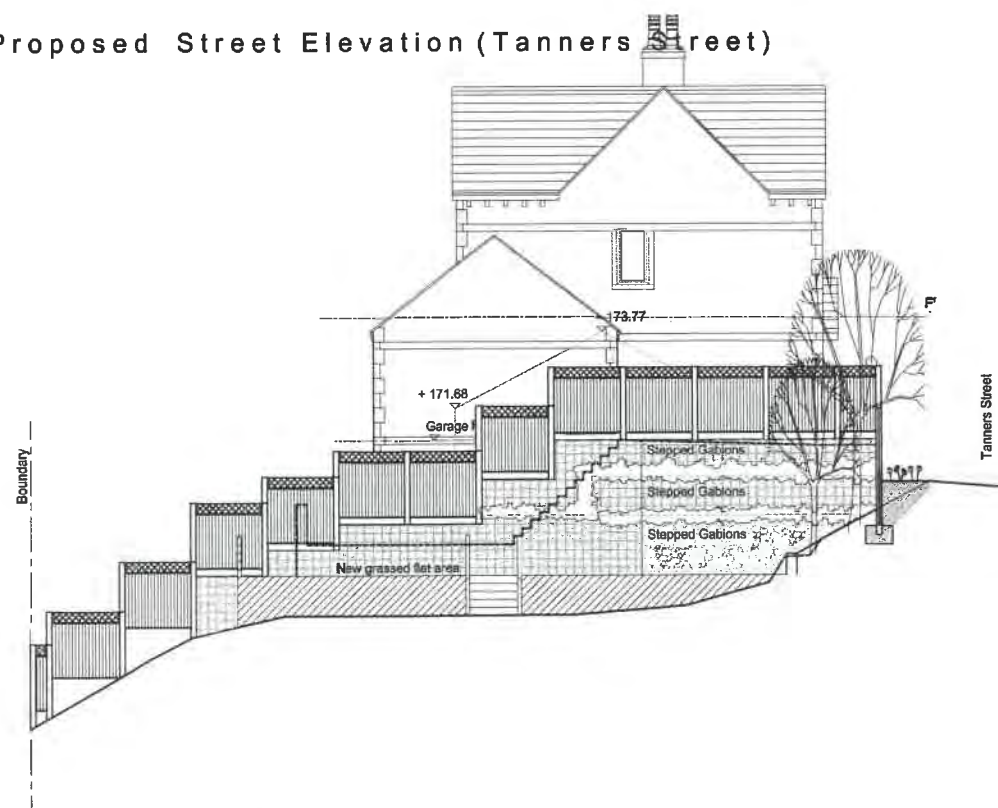
This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



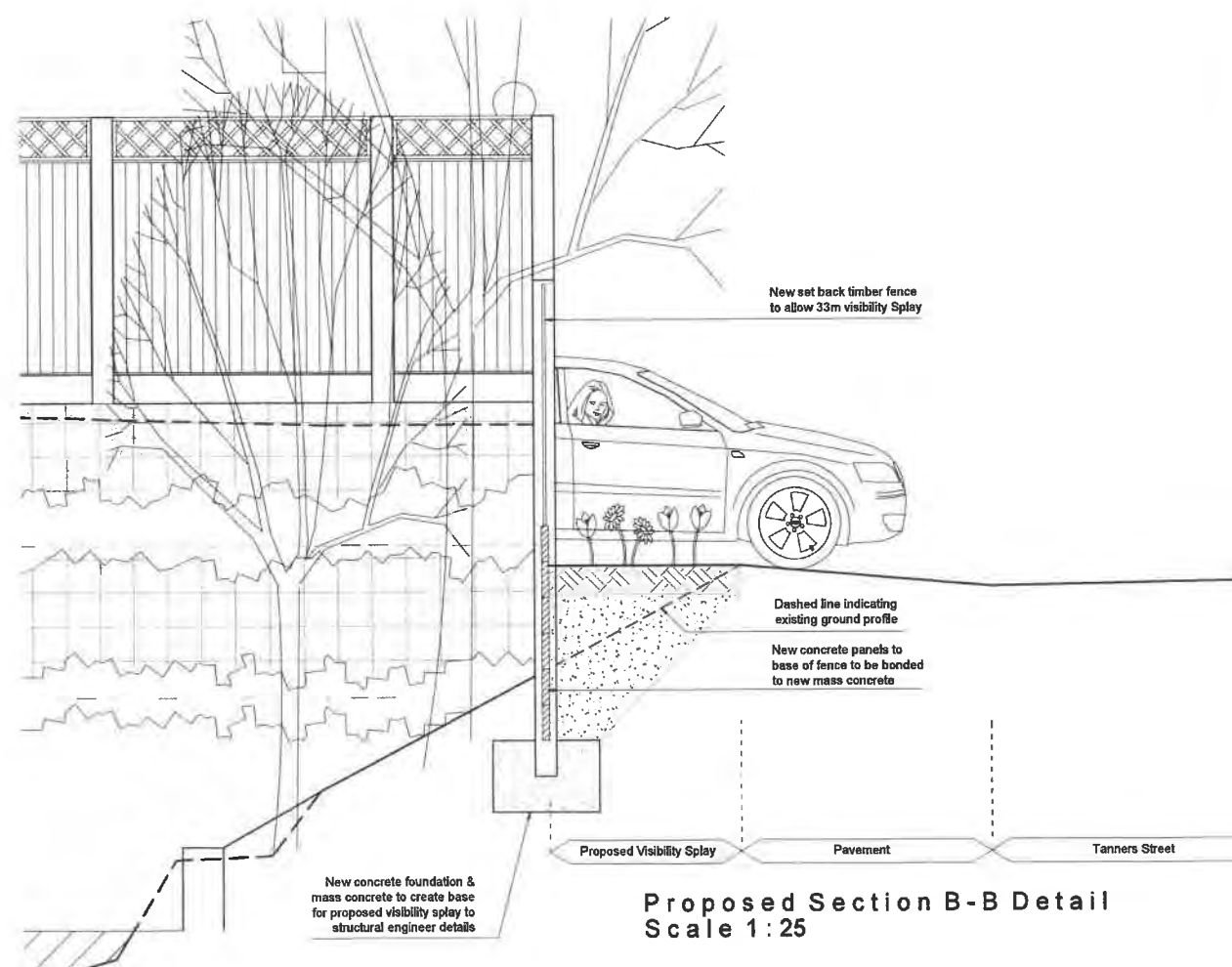
Existing Street Elevation (Tanners Street)



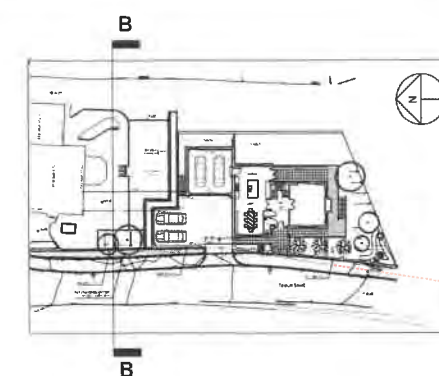
Proposed Street Elevation (Tanners Street)



Proposed Site Section B-B



Proposed Section B-B Detail
Scale 1:25



Site Key Plan
Scale 1:500

G	Updated Section B-B & added fence detail + added pillar garage door	28.11.2019
F	Updated external fence & splay to updated visibility splay to Planning request	16.11.2019
E	Updated external fence wall & splay to clients comments	26.10.2019
D	Updated trees on site as existing, lowered roof, finished windows, stonework & porch detail	22.10.2019
C	Planning Issue	06.08.2019
REV	DESCRIPTION	CHECK DATE

CLIENT

Mr & Mrs T.Hardcastle

PROJECT

Proposed Dwelling in Grounds of
85 Carr Street Ramsbottom

DRAWING

Existing and Proposed Street Elevations

SCALE	DATE	DRAWN	CHECKED
1:100	March'18	LY	
DRAWING NO.	CHD REFERENCE NO.	REVISION	
R-0429-105		G	



Ward: Radcliffe - East

Item 03

Applicant: Mortimer Property Management

Location: 69 Blackburn Street, Radcliffe, Manchester, M26 1WG

Proposal: Change of use of former public house/retail unit to 2 no. 5 & 6 bed houses of multiple occupation (HMO) (Class C4) with two storey rear extension and external alterations

Application Ref: 64570/Full

Target Date: 15/10/2019

Recommendation: Approve with Conditions

Description

The application relates to a two storey white rendered property on the corner of Blackburn Street and Green Street on the northern edge of Radcliffe Town Centre. The building is currently vacant and internally, has been taken back to the brickwork. There is a yard at the rear, bounded by a paladin mesh fence with gates opening onto the service road.

Formerly a public house with residential accommodation above, the ground floor was last used for retail as an extension to the furniture shop next door, which itself has closed down. The site is designated as a Secondary Shopping Area on Frontage.

The attached property to the south is a vacant shop unit and to the north, across Green Street is a landscaped area and car park that was associated with the now demolished public swimming pool. To the east, across Blackburn Street is a vacant office building (solicitors) and a children's day nursery. To the rear, across the service road is Dunelm car park.

There are parking restrictions along this part of Blackburn Street in the form of double yellow lines and there is a pedestrian crossing directly in front of the property.

The proposed development involves converting the property into two residential units with accommodation for a total of 11 people (HMOs). The ground floor would comprise a 5 person HMO and the first floor would accommodate a 6 person HMO. The rear yard would accommodate the bin and cycle storage with 4 parking spaces and the paladin fence and gates around the yard would be retained.

The proposed rear extension would project over the existing single storey rear outrigger by almost 3m and run across 6.4m. It would extend back with the pitched roof at the same height of the existing roof.

The supporting statement indicates that Radcliffe Town Centre is experiencing serious economic problems with a high proportion of vacant shops and other premises, including the subject of this application.

The applicant states that the loss of the commercial unit in this particular location, on the edge of the town centre, would not have a detrimental impact on the vitality or viability of the town centre but with refurbishment, the building would improve the streetscape and with new residents, contribute to the housing stock as well as adding to the customer base for local shops.

Relevant Planning History

19/0278 - Pre-application Enquiry for Change of use from two storey retail premises to residential - Application received 14/08/2019

Publicity

A site notice was posted 23/08/19 and the following neighbours were notified by letter dated 20/08/19 - Nos.52, 53-67(odd) Blackburn Street, Train station Day Nursery Blackburn Street, Dunelm Green Street.

15 representations, objecting to the proposal, received from the following properties: 92 Meadowcroft, 9 Hampson Street, 32 Mulberry Close, 11 Wellington Street, 4 New Field Close, 92 Lowton Street, 134 Outwood Road, 9 Chestnut Grove, 47 Clayton Drive, 18 Charter Avenue, 23 Derbyshire Street, 53 Plymouth Grove, 9 Morris Street and 7 Harper Fold Road. Objections are summarised:

- The use is not suitable in this location. Focus needs to be on retail and other business in the Town Centre.
- There are too many HMOs and flats in the town centre.
- Vulnerable residents in HMOs should be supported and not sited in town centre.
- Not enough parking in the Town Centre.
- Air in town centre is not clean and increased traffic would make this worse.

The resident at 14 Grange Road states that the proposed use is a good way of utilising a redundant pub.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Waste Management - No objection.

United Utilities - No objection.

Urban Renewal - No objection.

Greater Manchester Police - No objection.

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

Unitary Development Plan and Policies

Area	Blackburn Street/Dale Street/Church Street West
RD1	
S1/2	Shopping in Other Town Centres
S2/3	Secondary Shopping Areas and Frontages
EN1/2	Townscape and Built Design
H2/4	Conversions
HT2/4	Car Parking and New Development
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.

Policies - Chapter five of 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.

Chapter 7 of the NPPF relates to town centres and recognises that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

The Council's Unitary Development Plan Policy H1/2 - Further Housing Development. The Council will have regard to the following factors

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

H2/4 - Conversions. Applications for the conversion of buildings into two or more self contained units, or the conversion of a building into a house of multiple occupation, will be considered with regard to the following factors:

- a) the effect on the amenity of neighbouring property through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes;
- b) the general character of the area and the existing concentration of flats;
- c) the amenity of occupants;
- d) the effect on the street scene of any changes to the external appearance of the building;
- e) car parking and servicing requirements.

Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation supports Policy H2/4 and gives detailed guidance on assessing residential conversions.

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.

EN7/2 - Noise Pollution. In seeking to limit noise pollution the Council will not permit:

- a) development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users;
- b) development close to a permanent source of noise.

TC1 - Town Centres. The Council will seek to protect, maintain and improve the town centres of Bury, Ramsbottom, Radcliffe and Prestwich.

TC2/1 - Upper Floors. Within the town centres the Council will support proposals which bring underused and vacant space on upper floors of premises into beneficial use.

S1/2 - Shopping in Other Town Centres. The Council will seek to maintain and strengthen the retail roles of Ramsbottom, Radcliffe and Prestwich Town Centres. The Council will support modest increases in shopping floorspace, however, the main emphasis will be on

consolidation and enhancement.

S2/3 - Secondary Shopping Areas and Frontages. Within secondary shopping areas identified in the Borough's town centres, and in the main shopping areas of district centres, the Council will seek to maintain retailing (Class A1) as the predominant land use at ground floor level. Proposals for change of use or redevelopment within these areas will be assessed on their merits and by taking into account the following factors:

- a) the design and appearance of the proposed frontage;
- b) the maintenance or provision of a display window at ground floor level, where appropriate;
- c) access for the mobility impaired, where appropriate and through negotiation with the developer;
- d) whether the proposals will give rise to disturbance or nuisance;

In addition, where a proposal would lead to more than 40% of any identified secondary shopping frontage being in non-retail (Class A1) use, the Council will also take into account the following factors:

- e) the location and prominence of the proposal within the secondary shopping frontage;
- f) the number, distribution, and proximity of other premises in non-retail (Class A1) use or with planning permission for such uses;
- g) the particular nature and character of the use proposed, including the level of activity associated with it.

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.

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

Principle - The application proposes a change of use of the building to two houses in multiple occupation (HMO). Although previously a public house, evidence indicates that the building has been used as a retail space linked to the adjoining furniture shop (Lovicks) (63-67 Blackburn Street) from 2017 until the lease expired in May 2019. It was also used for a short period for retail between 2009 and 2011. As such, it is considered that the proposal is for a change of use from retail (A1).

Given that the proposal involves the conversion to a residential HMO, it should also be considered against UDP Policy H2/4 Conversions and its accompanying Supplementary Planning Document 13 which deals specifically with the conversion of buildings to houses in multiple occupation.

Furthermore, the proposal sits within a secondary shopping area within the main shopping area and Area RD1 of Radcliffe town centre. As such, the proposal will need to be considered against town centre policies TC1 (Town Centres) and RD1 (Blackburn Street/Dale Street/Church Street West) and retail policies S1 (Existing Shopping Centres),

S1/2 (Shopping in Other Town Centres) and S2/3 (Secondary Shopping Areas and Frontages).

In terms of UDP Policy H1/2 Further Housing Development, the proposal enables residential development to be directed towards the urban area avoiding the need to release peripheral open land. In terms of the specific location of HMOs, the guidance in the SPD 13 specifies that these are best located in areas that are:

- On or near a relatively busy highway;
- In areas well served by public transport;
- In areas well served by cycle routes; and
- In areas well served by a range of services, including shopping and leisure.

From this perspective, the proposal, situated on a main route within Radcliffe Town Centre, has good access to public transport, cycle routes and a range of shops, services and leisure facilities in Radcliffe. As such, from a locational perspective, the proposal is consistent with these criteria.

In terms of its effect of the proposal on the general character of the area and the street scene, apart from the modest extension to accommodate the stairwell at the rear, there are no major structural alterations to the building. The proposal would improve the general appearance of the building on the street scene since it has become somewhat run-down during its period of vacancy.

Given the location of proposal and the nature of the one-bed units, car ownership for future residents is unlikely to be high. As such the limited parking provision is not a serious concern and there is no objection from the traffic section.

In light of the above, the proposal is considered to be consistent with UDP Policy H2/4.

Town Centres - The application site is located within the Blackburn Street/Dale Street/Church Street West area of Radcliffe town centre (Area RD1). This area policy states that this part of the town centre contains the town's main shopping facilities, and, as such, proposals for retailing, appropriate ancillary Town Centre uses and environmental improvements will be acceptable. Proposals for the development of new or improved community facilities and for improvements to transport facilities will also be viewed favourably.

The general aim of UDP Area Policy RD1 is one of retaining the commercial nature of this part of the town centre and on environmental improvements. Whilst the building was last used for retail purposes associated with the previous occupant of the adjoining premises, the building itself does not currently have the appearance of commercial premises and would not easily lend itself to such uses. Furthermore, the building has fallen into a state of disrepair and the proposal would improve the external appearance of the building and benefit the local environment.

UDP Policy S1/2 relates to shopping in other town centres and states that the Council will seek to maintain and strengthen the retail roles of Ramsbottom, Radcliffe and Prestwich Town Centres. The Council will support modest increases in shopping floorspace, however, the main emphasis will be on consolidation and enhancement.

Again, whilst the premises have previously been used as retail space in association with the previous occupant of the adjoining premises, this is considered to have been unique to the particular circumstances and requirements of the previous occupier. The building does not currently have the appearance or frontage presence of a retail use and it is considered that the extent of work required to adapt the frontage of the building to reflect a retail use would be prohibitive. As such, it is considered that the loss of the retail use of the application premises would not weaken the retail role of this part of the town centre.

Given its previous long term use as a public house with accommodation above, together

with the difficulties experienced in realising a new commercial retail use, the proposed development would not conflict significantly with retail policy and is considered to be acceptable as it would bring the building back into productive use within the locality without have a detrimental impact on the wider town centre. As such the proposal would be acceptable and comply with the NPPF and UDP shopping and town centre policies.

Design and Appearance - The existing building, as a result of a period of vacancy, has become somewhat run down and does not have a particularly high amenity value within the streetscape and on what is a prominent site on the edge of the town centre.

Apart from the modest extension to accommodate the stairwell at the rear, there are no major structural alterations to the external elevations. The proposal, which retains the buildings original Neo-Georgian style, would allow it to be refurbished and thereby improving it's the general appearance within the streetscene since it has become somewhat run-down during its period of vacancy. Given the external alterations and refurbishment, the scheme would improve the existing building and wider streetscape and would be acceptable and comply with UDP Policies H2/1, H2/2 and H2/4 with regard to visual amenity.

Parking and access - The proposal includes four parking spaces within the rear yard area with turning to allow access and egress in forward gear. There is also lockable cycle storage and a bin store within the yard.

The limited parking provision is not considered so serious an issue given that the site is within the town centre, close to public car parks and main public transport routes and the central bus depot and is therefore very sustainable.

As with other HMO's in town centre locations, generally car ownership for future residents is unlikely to be high. Given the proposed parking, its sustainable location and predicted car ownership levels, there is no objection from the traffic section. The proposal is therefore considered to be acceptable and complies with the NPPF and UDP Policies H2/2 and H2/4 relating to parking and access.

Ecology - The bat report submitted with the application does not suggest that there is any significant risk to bats. The proposal complies with UDP policy and guidance in this respect.

Residential Amenity - Although small, the amenity space at the rear of the building would be considered adequate to cater for the needs of the future residents.

With regard to noise impact on future occupiers, building regulations would require adequate sound insulation between the residential units. Given there are no residential properties in the immediate vicinity, there are no residential amenity issues arising with regard to noise and disturbance. As such the proposed development and complies with UDP Policy H2/1 and H2/4 with regard to residential amenity.

Flood Risk - The site is within a low risk area and an informative reflects the standing advice of the Environment Agency.

Public Representations - The planning issues raised by those making representations have been addressed in the above report. With regard to the numbers or concentrations of HMOs in Radcliffe, there doesn't appear to be a particular overconcentration within the town centre.

With regard to the 'vulnerability' of residents, this is not a material planning consideration when assessing HMOs as they could accommodate any kind of resident and it is noted that other legislation and council services could address any concerns in this respect.

With regard to air pollution, one could argue that a HMO within a sustainable town centre location, with low car ownership levels is acceptable.

On balance, given the location, vacancy levels and ongoing issues relating to the town centre and the advantages of bringing the building back into active use, the proposal is acceptable and complies with the National Planning Policy Framework and UDP policies.

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.

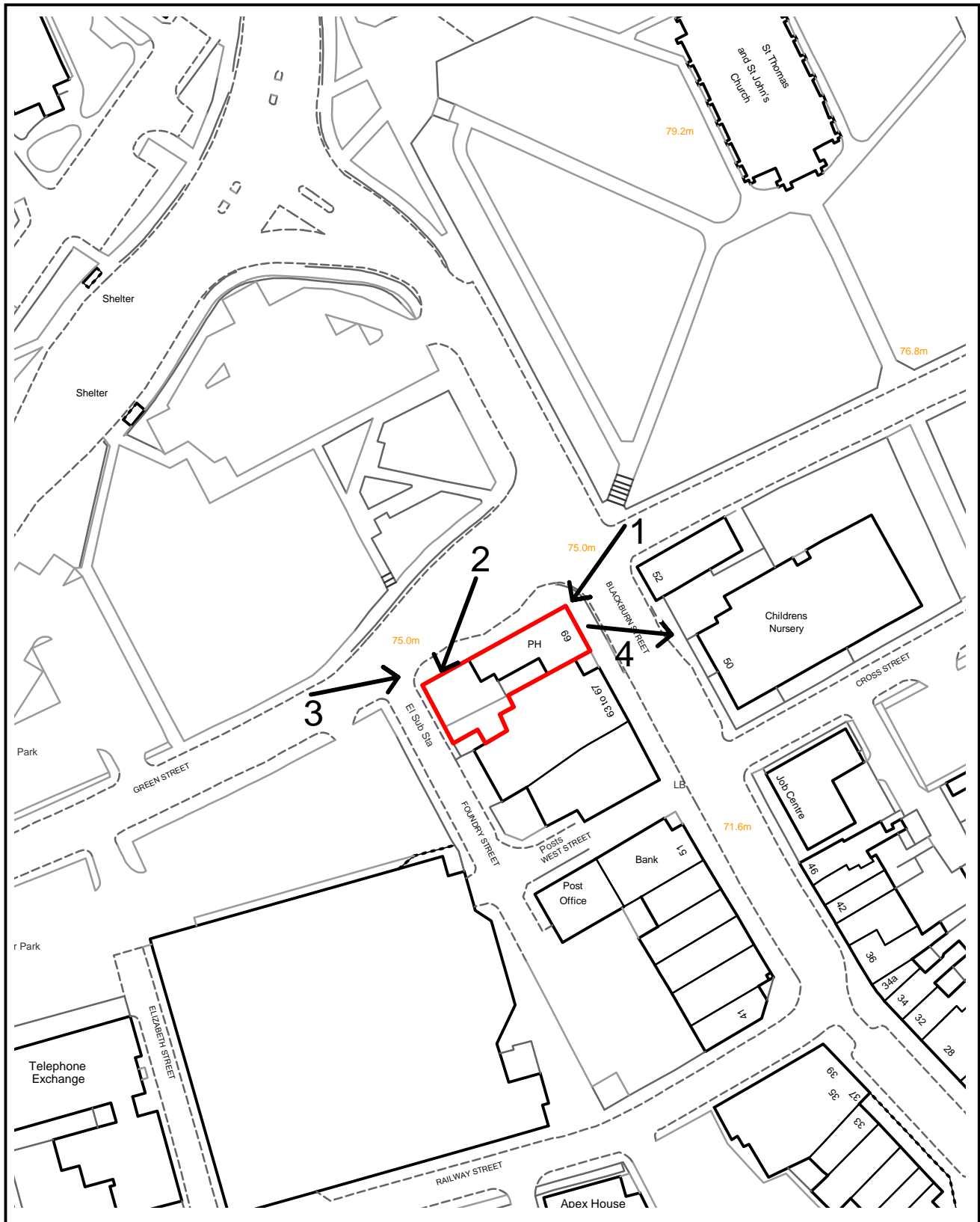
Recommendation: Approve with Conditions

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 69BS/200/PL/P3, 69BS/201/PL, 69BS/202/PL, 69BS/203/PL/P2, 69BS/204/PL/P1 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 external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The access, turning, car/cycle parking and bin storage arrangements indicated on approved plan reference 60BS/200/PL Revision P3 shall be made available for use prior to first occupation and thereafter maintained at all times.
Reasons. To ensure adequate off-street car parking provision and refuse collection arrangements in the interests of road safety.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64570

**ADDRESS: 69 Blackburn Street
Radcliffe**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64570

Photo 1



Photo 2



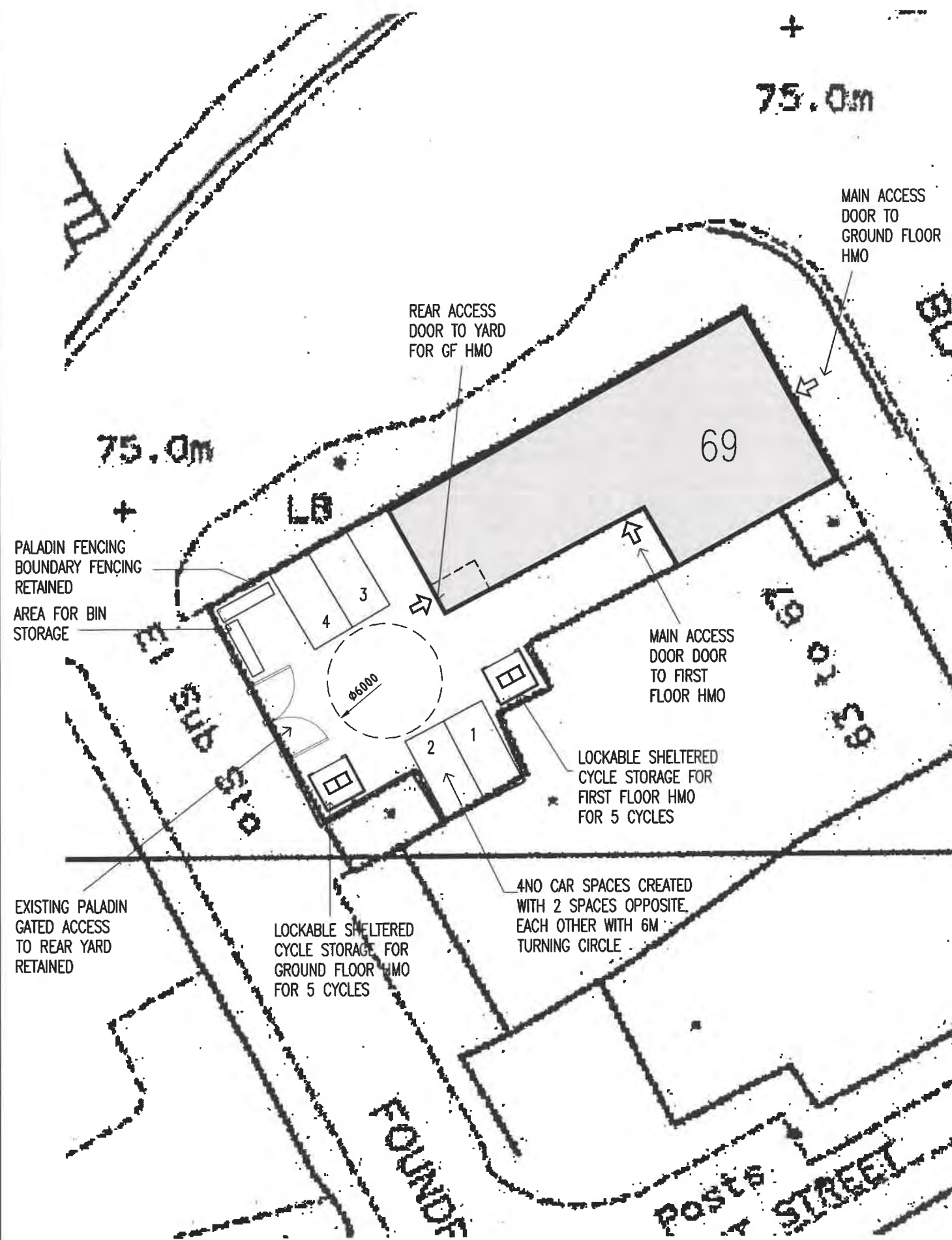
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Photo 3

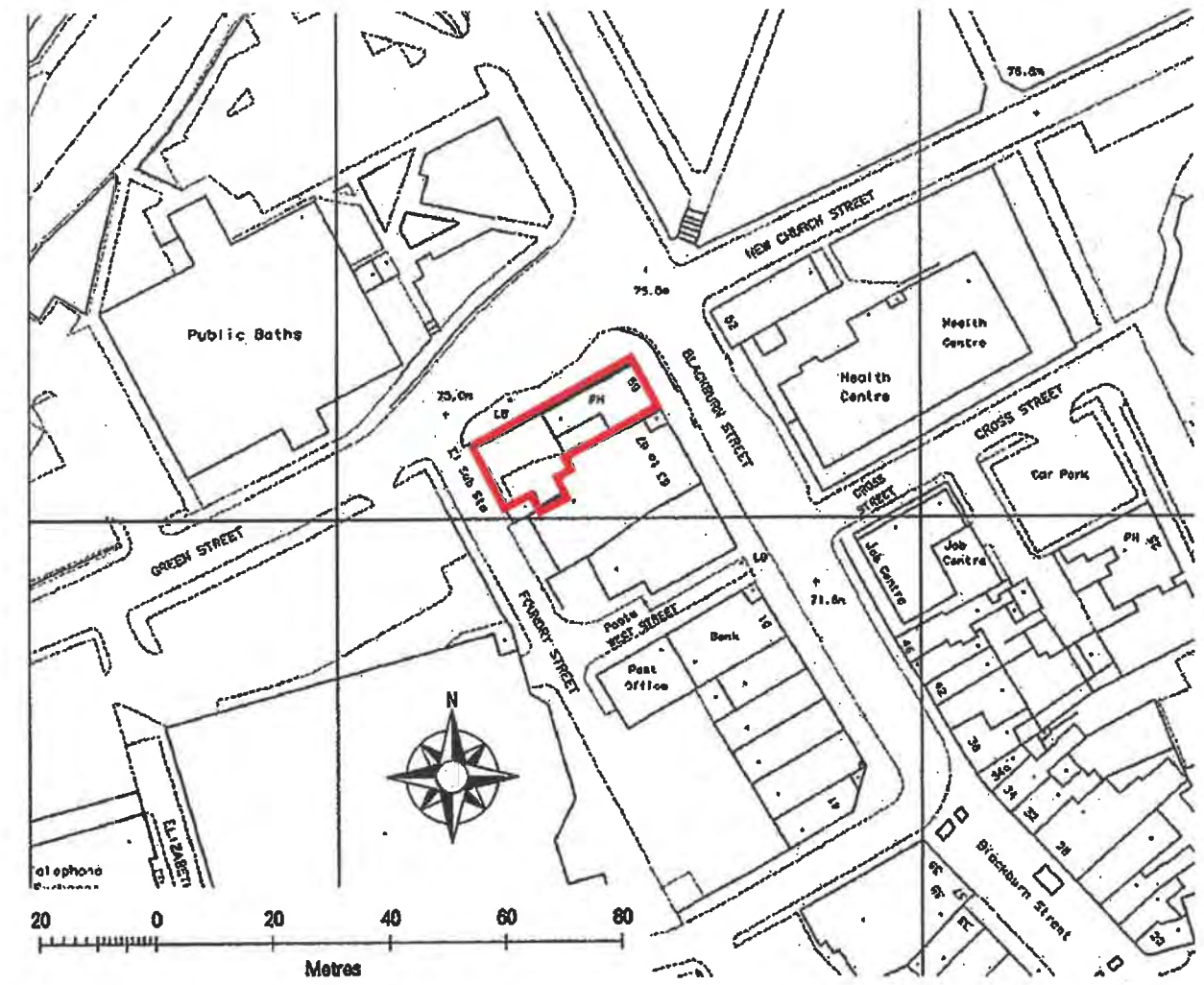


Photo 4





PROPOSED SITE PLAN
1:250@A3



Location Plan scale 1:1250



LOCKABLE CYCLE SHELTER TO STORE 5no. CYCLES. HEIGHT OF 2000mm, WIDTH 2200mm AND LENGTH 2200mm. THESE SHELTERS ARE MADE OF GALVANISED AND POWDER COATED MILD STEEL. THE STANDARD CLADDING IS MANUFACTURED FROM 5MM UV STABLE, SHATTERPROOF, IMPACT-RESISTANT AND NON-COMBUSTIBLE TRANSLUCENT PET MATERIAL. THE CYCLIST CAN LOCK THE BIKE FRAME AND WHEELS TO THE ROUNDED A RACK WITH THEIR OWN CHAIN OR D-LOCK. THE GATES ARE SUPPLIED WITH HASPS FOR USE WITH A PADLOCK AND ARE TO BE SLIDING GATES.

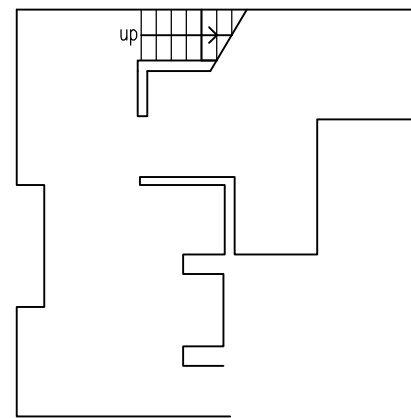


1800mm PALADIN FENCING TO MATCH EXISTING

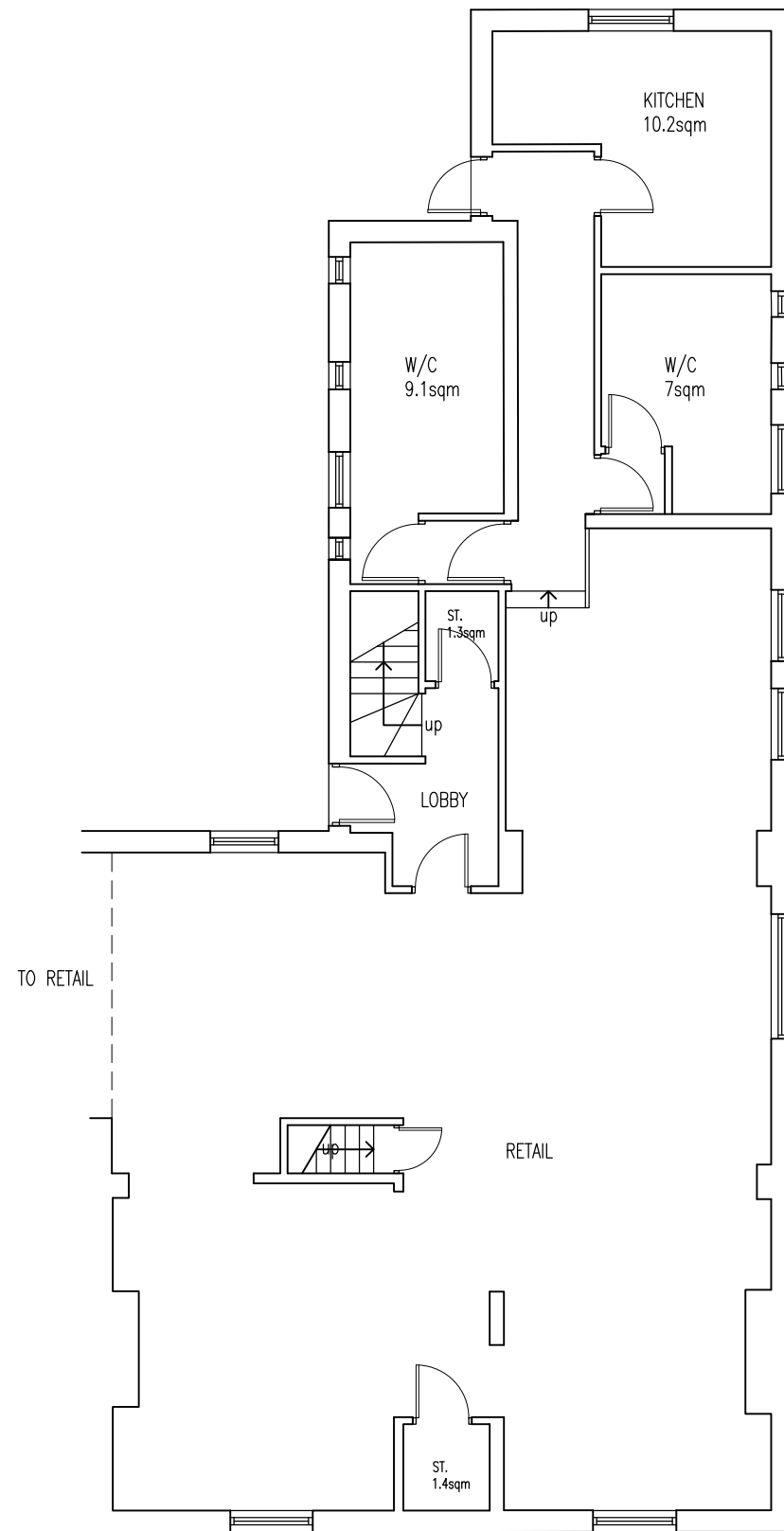


ALL REFUSE STORAGE RECEPTACLE STORAGE CONTAINERS INCLUDING RECYCLABLE ARE TO 240 LITRE AS ABOVE

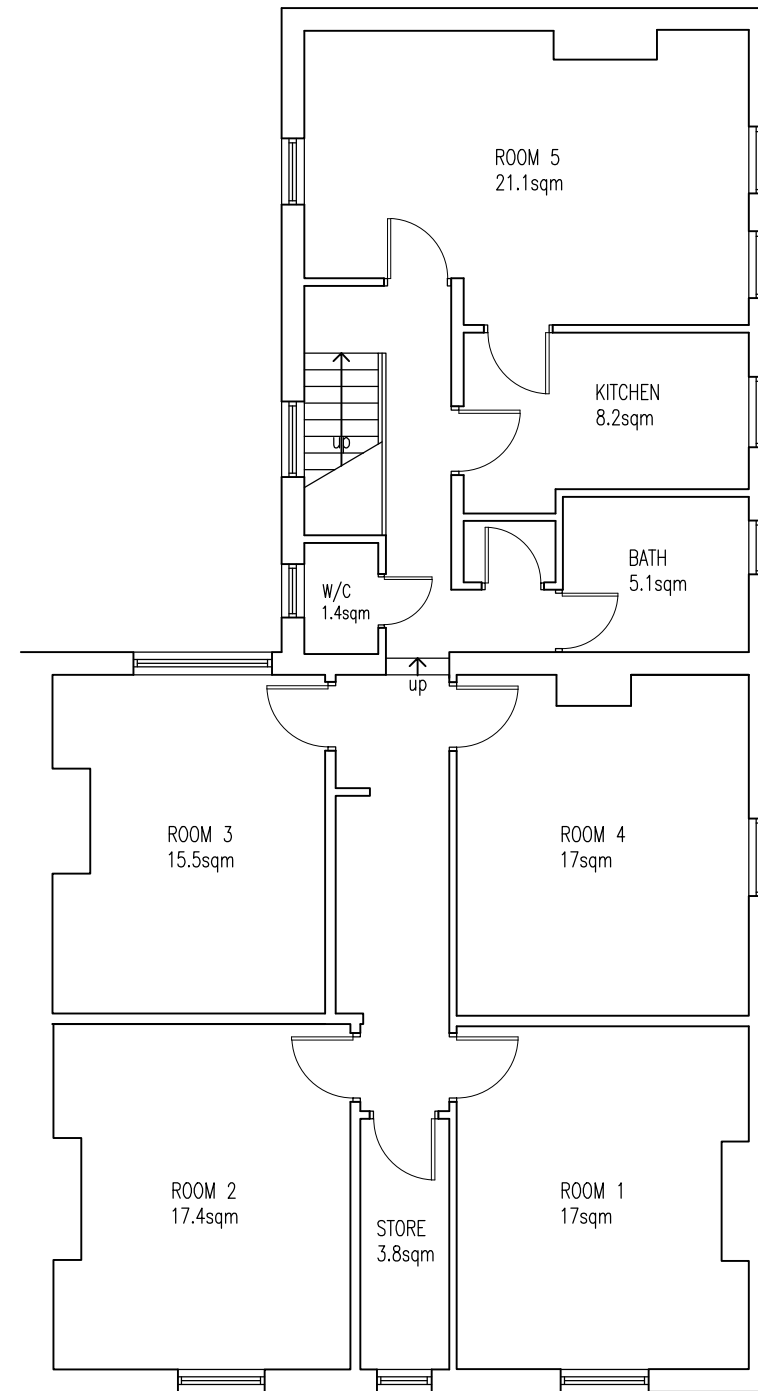
P3	Rear yard car parking redesigned	11.10.19	MG
P2	2 Storey rear extension added	05.8.19	MG
P1	Minor Amendments	13.04.19	MG
Rev Amendments		Date	Ints
Mark Gordon Design + Associates			
Project REFURBISHMENT & ALTERATIONS TO 69 BLACKBURN STREET RADCLIFFE			
Drawing Title SITE LOCATION PLAN AND PROPOSED SITE PLAN			
Drawn	MG	Checked	—
Date	MARCH 2019	Scale	1 : 1250/250
Drawing No.	69BS/200/PL	Rev.	P3



EXISTING BASEMENT FLOOR LAYOUT
1:100 @ A3

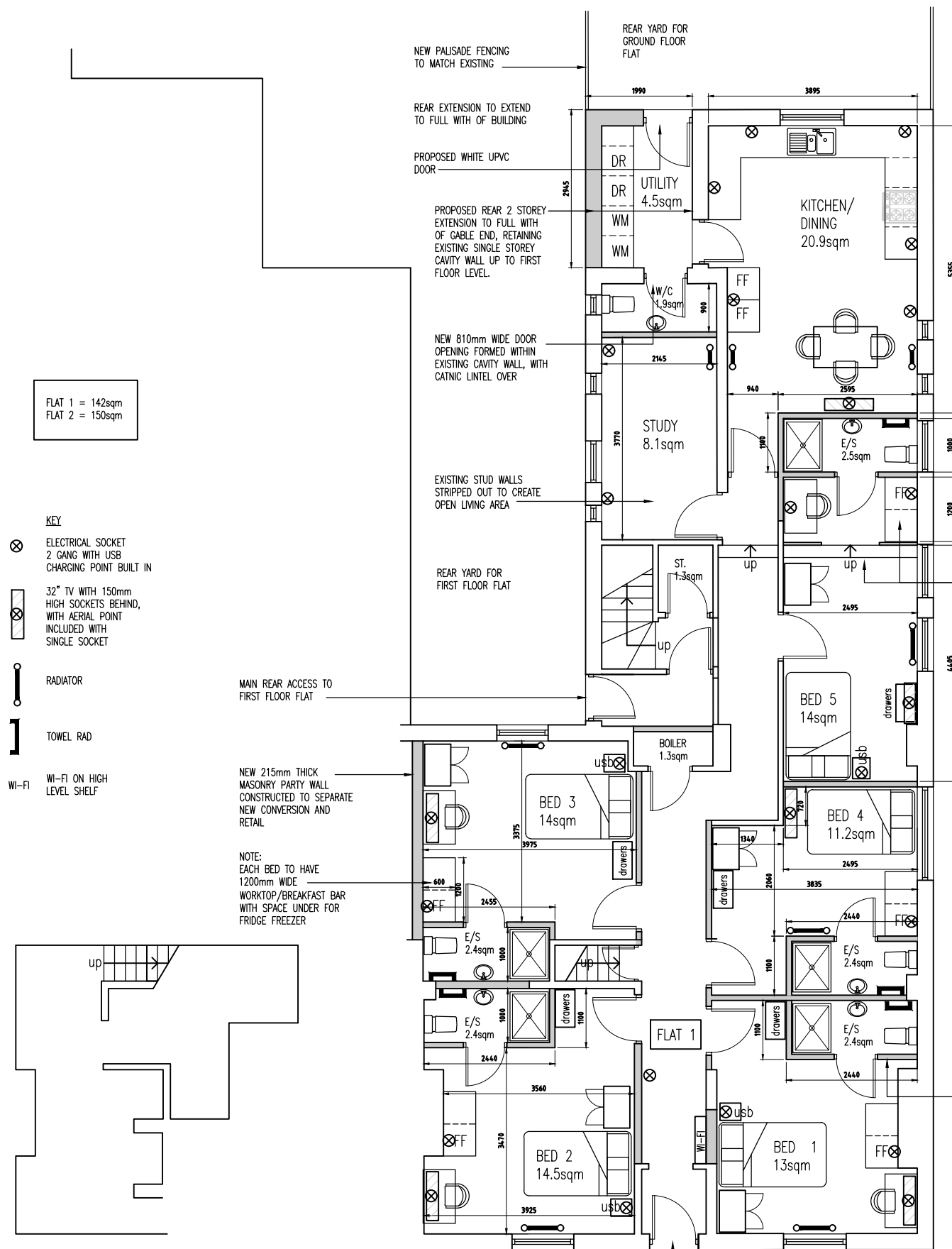


EXISTING GROUND FLOOR LAYOUT
1:100 @ A3



EXISTING FIRST FLOOR LAYOUT
1:100 @ A3

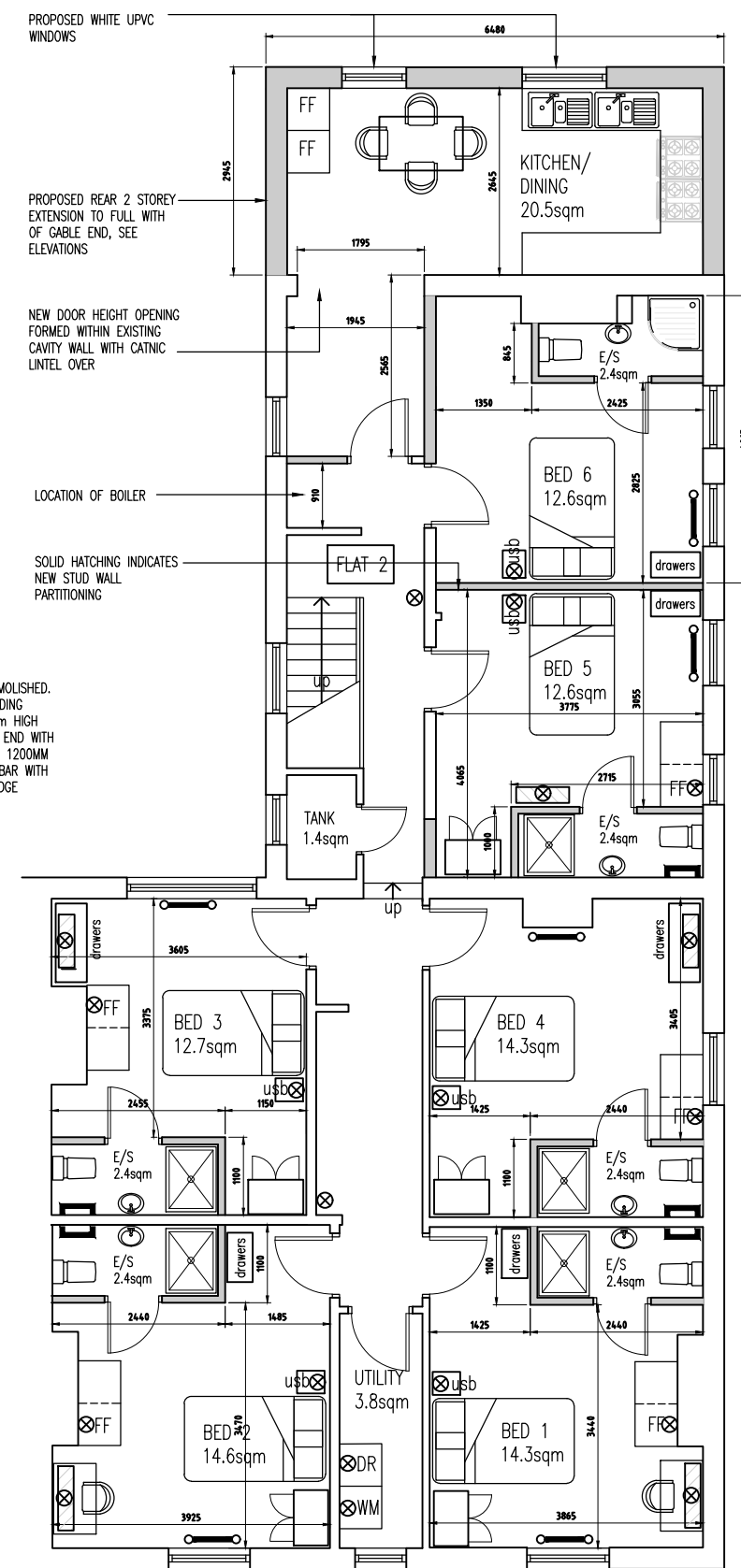
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project REFURBISHMENT & ALTERATIONS TO 69 BLACKBURN STREET RADCLIFFE			
Drawing Title EXISTING PLAN LAYOUTS			
Drawn	MG	Checked	—
Date	MARCH 2019	Scale@A3	1 : 100
Drawing No.	69BS/201/PL	Rev.	



PROPOSED BASEMENT FLOOR LAYOUT
1:100 @ A3

PROPOSED GROUND FLOOR LAYOUT
1:100 @ A3

EXISTING BRICKED UP DOOR
TO BE OPENED UP TO
CREATE NEW FRONT DOOR
ACCESS TO PROPERTY



PROPOSED FIRST FLOOR LAYOUT
1:100 @ A3

P2	Proposed 2 storey rear extension	05.08.19	MG
P1	Minor Amendments	13.04.19	MG
Rev	Amendments	Date	Ints

Mark Gordon
Design + Associates

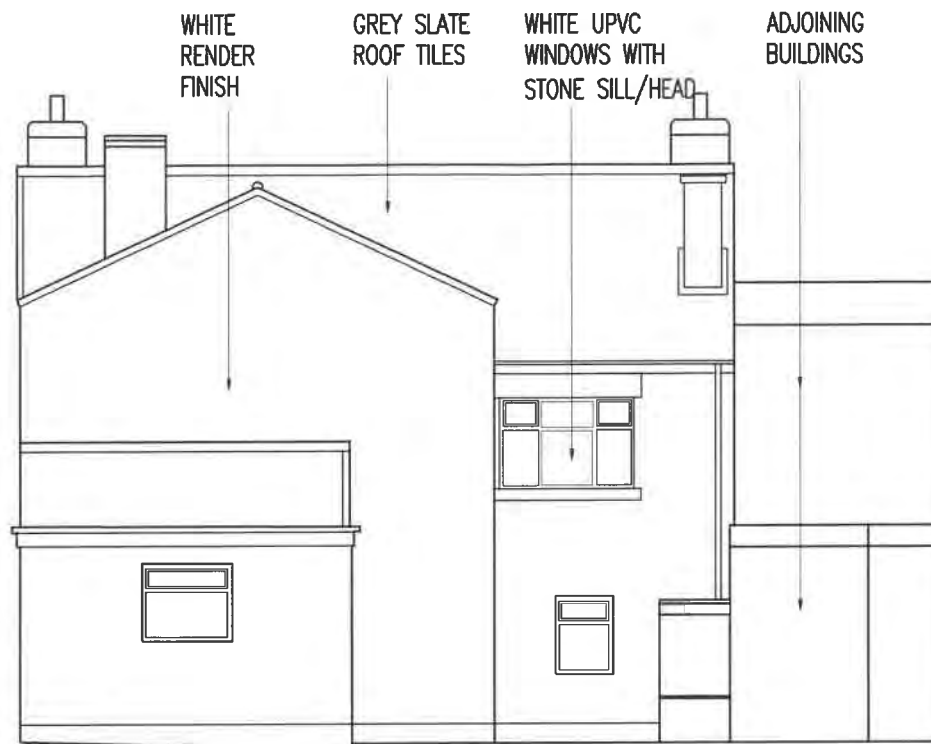
Project
**REFURBISHMENT & ALTERATIONS
TO 69 BLACKBURN STREET
RADCLIFFE**

Drawing Title
**PROPOSED PLAN LAYOUTS
(X2 /HMO)**

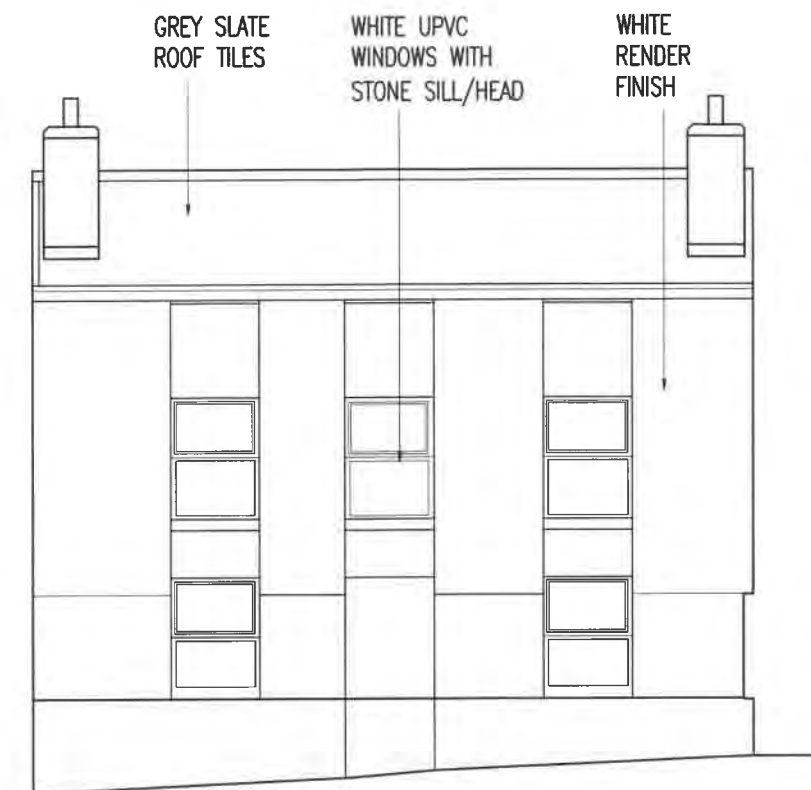
Drawn	MG	Checked	-
Date	MARCH 2019	Scale@A3	1 : 100
Drawing No.	69BS/203/PL	Rev.	P2



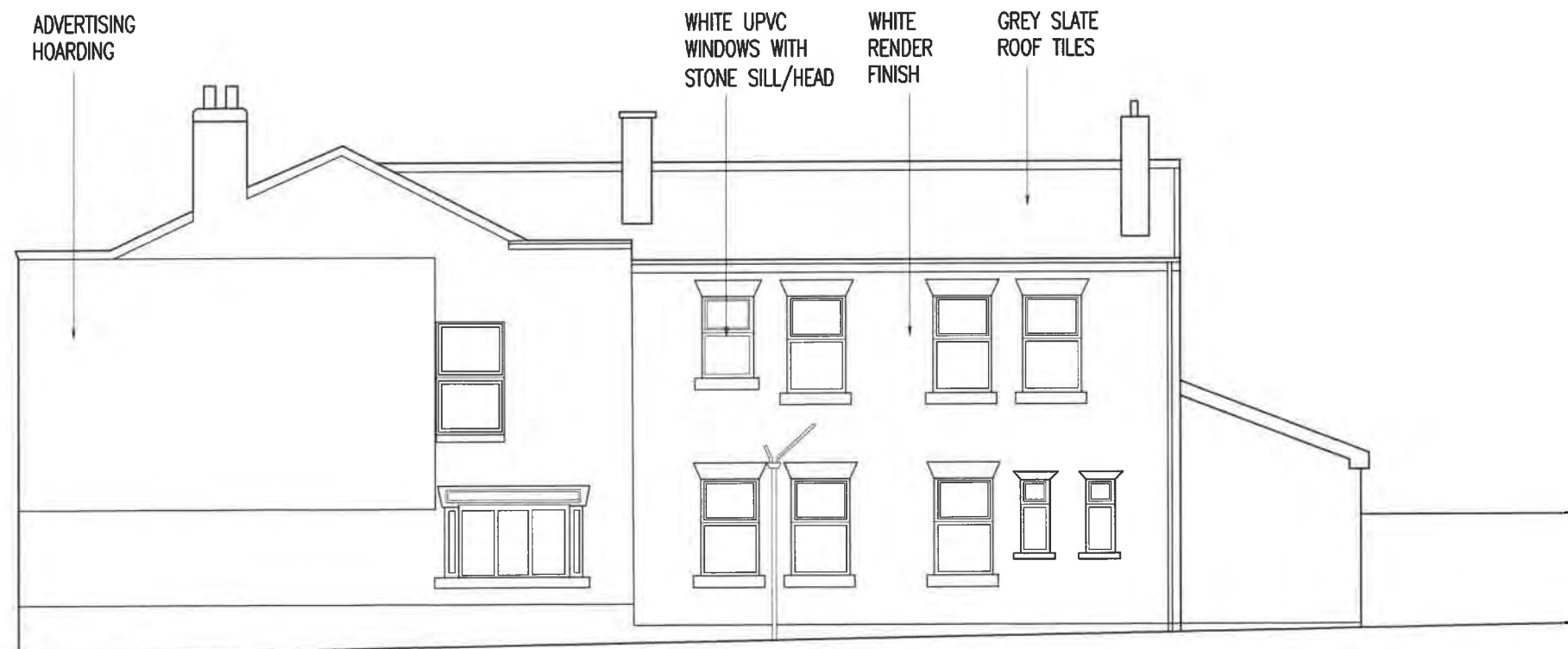
EXISTING REAR SIDE ELEVATION
1:100 @ A3



EXISTING REAR ELEVATION
1:100 @ A3



EXISTING FRONT ELEVATION
1:100 @ A3

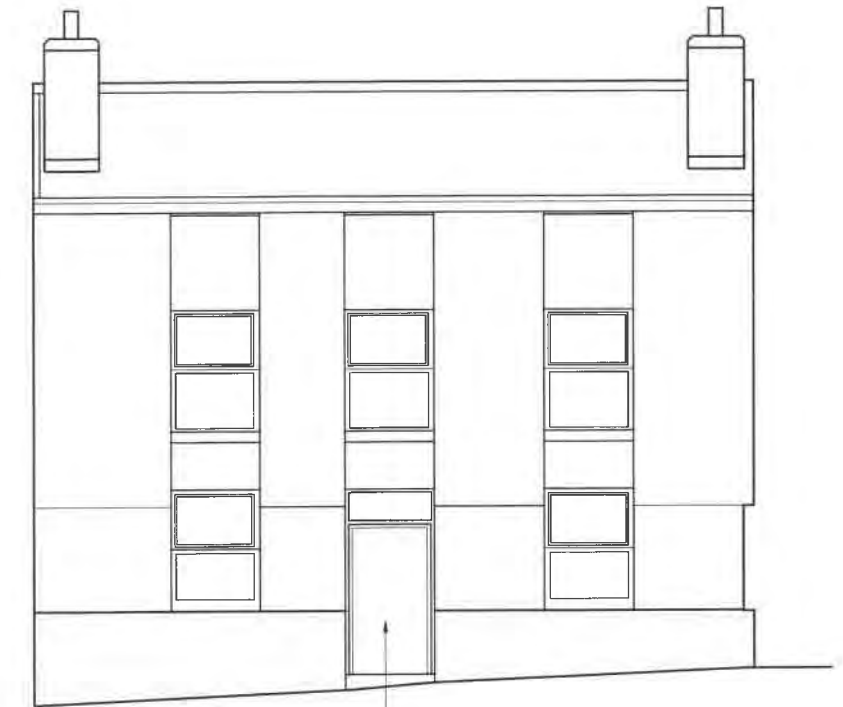
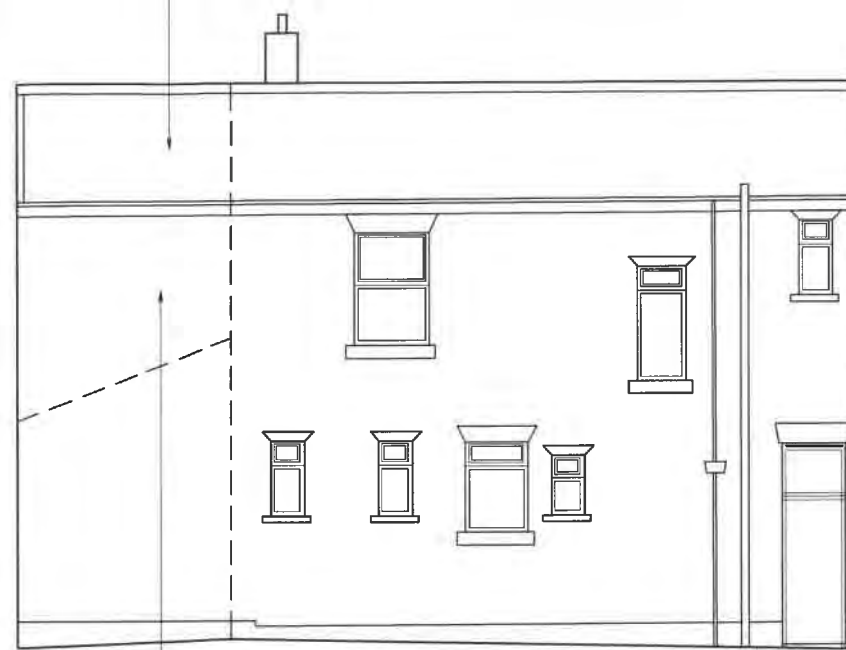


EXISTING SIDE ELEVATION
1:100 @ A3

Rev	Amendments	Date	Info
Mark Gordon Design + Associates			
Project REFURBISHMENT & ALTERATIONS TO 69 BLACKBURN STREET RADCLIFFE			
Drawing Title EXISTING ELEVATIONS			
Drawn	MG	Checked	—
Date	MARCH 2019	Scale	1 : 100
Drawing No.	69BS/202/PL	Rev.	

ROOF TILES OVER 2 STOREY
REAR EXTENSION TO MATCH
EXISTING

PROPOSED ANTHRACITE UPVC
WINDOWS TO REAR 2 STOREY
EXTENSION



PROPOSED REAR SIDE ELEVATION
1:100 @ A3

PROPOSED 2 STOREY REAR/SIDE
EXTENSION, WITH RENDER FINISH
TO MATCH EXISTING, BUILT OVER
EXISTING REAR SINGLE STOREY
EXTENSION

PROPOSED REAR ELEVATION
1:100 @ A3

PROPOSED 2 STOREY REAR/SIDE
EXTENSION, WITH RENDER FINISH
TO MATCH EXISTING, BUILT OVER
EXISTING REAR SINGLE STOREY
EXTENSION

NEW PALADIN FENCING TO
SEPARATE REAR YARD AREAS
FOR GF HMO AND FF FLAT
AMENITY SPACE

PROPOSED FRONT ELEVATION
1:100 @ A3

EXISTING BRICKED UP OPENING,
BROKEN OUT TO CREATE NEW
FRONT DOOR OPENING FOR GF
FLAT. DOOR TO BE ANTHRACITE
ROCK DOOR



ROOF TILES OVER 2 STOREY
REAR EXTENSION TO MATCH
EXISTING

PROPOSED 2 STOREY REAR/SIDE
EXTENSION, WITH RENDER FINISH
TO MATCH EXISTING, BUILT OVER
EXISTING REAR SINGLE STOREY
EXTENSION

PROPOSED SIDE ELEVATION
1:100 @ A3

NOTE:
ALL EXISTING WINDOWS TO BE
REPLACED WITH ANTHRACITE
UPVC, TO MATCH EXISTING

P1	2 Storey rear extension added	05.08.19	MG
Rev	Amendments	Date	Info
Mark Gordon Design + Associates			
Project REFURBISHMENT & ALTERATIONS TO 69 BLACKBURN STREET RADCLIFFE			
Drawing Title PROPOSED ELEVATIONS			
Drawn	MG	Checked	-
Date	MARCH 2019	Scale	1 : 100
Drawing No.	69BS/204/PL	Rev.	P1

Ward: Prestwich - Sedgley

Item 04

Applicant: Belmont Property Investments Ltd

Location: 72 Park Road, Prestwich, Manchester, M25 0FA

Proposal: Erection of 4 no. storey block of 9 no. flats with basement car parking and landscaping

Application Ref: 64642/Full

Target Date: 11/12/2019

Recommendation: Approve with Conditions

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

Description

The application relates to a corner plot of land in a residential area. The site is bounded by No 70 Park Road, a semi detached house to the south and No 71 Brooklands Road, a semi detached house to the east. Opposite are houses on Park Road and Brooklands Road of semi detached and detached types.

The site is generous in size and formally accommodated a large 2 storey single dwelling. The property was set back into the site and orientated to front a 4 way junction which is formed around a mini roundabout. A detached garage was located in the south eastern corner of the plot accessed via a driveway off Park Road and had a separate gated pedestrian access. The site is bounded by a brick wall with hedge planting behind and there is a mature oak tree in the north west corner facing the road junction.

The dwelling has since been demolished and the site has been cleared in preparation for a development which was granted planning permission in 2018 for 4 no. dwellings.

This application now proposes to re-develop the site to provide a 4 storey building (3 floors and one penthouse floor) of 9 no. apartments with basement parking and landscaping.

The building would be located over the footprint of the previous dwelling towards the centre of the site, orientated to front the junction and crossroads. The layout is based on a 'T' shape footprint with the main entrance located centrally between the two elements of the build.

The existing driveway off Park Road would be utilised and widened to facilitate a car entering and exiting the site at the same time. Parking for 15 cars is proposed in the basement via a ramped access which would be controlled by a traffic light and fob system. A separate access off Brooklands Road would be created for an additional 2 parking spaces with a path from this area leading round the perimeter of the building to the main entrance. A stepped access from Park Road would provide a separate pedestrian access. The bin store would be located to the front of the site within a pergola structure and the remaining land would be landscaped to provide external amenity space.

The existing boundary wall and hedge would be retained, as would the oak tree planted at the front of the site.

Internally, the accommodation would be set over four floors comprising -

Ground floor - 3 x 2 bed

First floor - 3 x 2 bed

Second floor - 1 x 2 bed and 1 x 3 bed

Third floor - 1 x 3 bed (penthouse) with an outside terrace

There would be a lift from the basement to access all floor levels.

The design and appearance of the proposed building has adopted an 'Art Deco' or 1920's/1930's approach, the concept of which has been developed from other such similarly designed buildings in the vicinity. The elevations and corners of the building would be curved and rounded with symmetrically positioned horizontal style windows interjected with full length windows to patio door openings and balconies on some of the elevations. The roof would be flat with a slight overhang and the upper floor would be recessed in on all sides of the building. Elevations would have a rendered finish with black powder coated window frames.

Relevant Planning History

01924/E - Demolition of existing house and garage with provision for 4 no. dwellings - Enquiry completed 20/12/2016

02206/E - Erection of 11 no. flats - Enquiry completed 14/11/2018

61141 - Demolition of existing dwelling and erection of 4 no. dwellings (2 no. detached and pair of semi-detached) - Withdrawn by Applicant 07/03/2017

62174 - Prior notification of proposed demolition of existing detached dwelling and garage - Withdrawn - Invalid 17/11/2017

62178 - Demolition of existing dwelling and erection of 4 no. dwellings (2 no. detached and pair of semi-detached) - Approve with Conditions 16/01/2018

18/0087 - Breach of Condition 62178 - 03/05/2018

Publicity

Letters sent on 18/10/2019 to 39 properties on Park Road, Carlton Drive, Brooklands Road and Links Crescent.

18 letters of objection received from properties on Links Crescent, Brooklands Road, Park Road, Castle Hill Road which raise the following issues:

- A block of flats would bring problems with noise and parking
- The neighbourhood is quiet and peaceful with young families and older couples of retirement age
- 4 storeys is too high and the footprint too big; There is no precedent for a 4 storey block of flats within the estate;
- Raises privacy issues by overlooking surrounding properties;
- Poor design;
- Increase in residential and passing traffic and congestion;
- A danger to local children;
- The original plan for houses was more in keeping and pleasant in appearance;
- It will dominate the area and be out of keeping with the surrounding properties and the character of the area;
- Drastically reduce the quality of life for wildlife. There are currently bat boxes in the tree and they are there for a reason.
- The design of the block is against the Council's Guidance note 16 - "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted." if reduced to 3 storey this would be more acceptable and in line with policy guidance.
- If this development does get passed I would like assurances that the level of car parking on site will remain at 18 spaces if not more, and there are no additions or widenings to the proposed vehicular and pedestrian entrances/ exits and the boundary wall remains the same or similar to what we have now.
- The underground parking will not be sufficient for the typical 2 car family;
- Plans show the block reaching the height of the tops of chimneys on nearby houses or

- above,
- The only other flats on Park Rd are on sloping land where only two storeys present at street level.
- Seems to be more about maximising the profit from the site by cramming on as many units as possible rather than developing something that is sensitive to the surrounding area.
- What steps are being taken to maintain or improve pedestrian use of the footpaths close to the site;
- Concern about the decline in the bat population. Pleased to see clear recommendations have been given about the installation of bat boxes on a tree and the roofs of properties which were previously proposed in the application on 2017. So has a sufficient number of bat boxes been installed by the developer?
- Over development but one benefit of having flats is that the entry and exit points to the site will remain and not therefore remove existing parking spots to the front aspect of 72 Park Road.
- Deprive our rear garden privacy
- The basement parking will not work, people do not want to park in a basement during the day and there will definitely be parking on the streets and increase traffic and congestion on these roads that are already burdened by Bury old rd traffic and Mosque traffic
- Very little green space

Revised plans received to show amendments to the layout, access and parking arrangements and design.

Neighbours re-notified by letter dated 21/11/19

4 letters of objection received from received from 61 Brooklands Road (x2), 74 Park Road, 4 Links Crescent which raise the following issues:

- The revised plans do not appear to correct the objections;
- Still hope the ugly 4 storey eyesore does not get built;
- Not have they resolved the parking issues and the safety of the people living here.
- The building still looks like an airport terminal placed in between residential houses, completely out of character.
- Is likely to infringe on privacy;
- Create even more vehicular traffic; which has increased over recent years;
- Cause more parking problems;
- Create safety issues for local children;
- Destroy wildlife habitat, e.g bats.
- No objection to the original build for a few houses

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Borough Engineer - Drainage Section - No response received. Drainage condition to be included.

Environmental Health - Contaminated Land - No objection subject to conditions.

Waste Management - No response received.

United Utilities (Water and waste) - No objection subject to a condition to provide a drainage scheme for approval.

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

H1/2 Further Housing Development

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
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.

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.

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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 in an urban and residential area and would not conflict with the local environment in terms of surrounding land uses and character of development for residential purposes. The site previously accommodated a single dwelling, and as such the site has an established residential use with existing infrastructure in place to facilitate the development.

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

Layout - The site is a corner plot and at the crossroads where Park Road meets Castle Hill Road/Brooklands Road at a mini roundabout. The proposed building would be orientated to front the junction of the meeting of these roads with the majority of the front elevation angled towards Park Road and the side or north elevation running the length of Brooklands Road.

Whilst covering a larger floor area than the previous dwelling, the proposed building would be similarly positioned and set within the site to provide some relief and sense of space between the built form and the highway so as not to overly dominate the streetscape. The north and west perimeter would be landscaped, with lawned and garden areas provided for amenity space at the front of the site. A bin store area within a pergola structure would be located along the western perimeter of the site adjacent to the stepped access.

Apart from the areas where it is proposed to form the new access points, the existing boundary wall and hedge behind would be retained and this would be conditioned. The wall is an attractive structure, and with the hedge planting and would soften the development within the street scene. The mature oak tree in the north west corner of the site is also a feature of the site and this would be retained and protected during the works.

There would be 2 pedestrian routes into the site. A stepped access would be formed off Park Road with a path leading directly to the main entrance on the west elevation and a level route into the site off Brooklands Road which would follow a pathway around the perimeter of the building and lead to the main entrance providing level access.

The existing access off Park Road would be widened to create the vehicular entrance into the site. This would lead to a ramp at the rear of the building and access into the basement where the 15 parking spaces and cycle store for the development would be located. The

access would facilitate 2 cars to enter/egress at the same time but as the route into the site narrows to a single car width, a traffic light and fob system would control the traffic flow. (See the Highway's Section below). Two additional parking spaces would be provided at the northern most part of the site off Brooklands Road. In total 17 parking spaces would be provided for the development.

The proposed development would be a larger scale residential development comparative to that which previously for a single dwelling. However, the plot is generous in size and the proposed layout demonstrates that the scale of the building could be comfortably accommodated within the site, maintaining a reasonable set back from the road frontages.

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

Design and appearance - The design of the proposed building seeks to deliver a distinctive and distinguishing style of development. This approach has been guided by a number of factors, with early principles in the designing out process of the scheme taking into consideration the shape of the plot, its corner setting, context of the area and draws from examples of the varied and eclectic architecture which characterises the wider vicinity in some Art Deco properties.

The resulting development proposes an 'Art Deco' style concept. The formation of a 'T' shape footprint arose as a solution to utilise the shape and form of the plot, whilst factoring in the position of the residential properties which surround the site. From this, evolved the design, to introduce a curved and rounded building to all corners of the build which would not only add individuality to the development, but would also 'soften' the build to minimise massing and over-dominance of the adjacent houses.

The proposed apartment block would be 4 storey in height with the top floor set back from all sides of the building to reduce massing and bulk to better acknowledge its relationship within the street scene. The proposed building would be higher than the adjacent houses, by up to 1.2m to No 71 Brooklands road to the east and approximately 3m higher than No 70 Park Road to the south. However, there would be a gap between the properties which would provide a sense of relief and space and allow the proposed built form 'breathe' within the site. The development would provide suitable and appropriate amenity areas, parking and access arrangements for the scale of development proposed, without compromise to both the future occupiers or existing residents in the locality.

The elevations would comprise large glazed openings with full length patio doors and horizontal retro type openings on the north and west elevations with smaller windows where the elevations would face adjacent houses. On the top floor, windows would be full length, but as this floor is set back in the elevations, their visual impact would be less obvious when viewed from the street scene.

The building would have a white render finish with a projecting powder coated steel soffit roof and black coated steel windows, reflecting the contemporary styled design.

The proposed building, whilst of a more 'individualistic' approach than some of the more traditional properties in the immediate locality does reflect other styles of build which are in the vicinity. The Design and Access Statement refers to a property further along Park Road to the north west, which could also be described as an 'Art Deco' design, and which comprises of curved and rounded edges, is located on a corner plot and is within a setting not dissimilar to the application site. The Design and Access Statement also references other examples of 'alternative' design approaches to developments in the area which can add interest and distinction to the character of areas.

National Design Guidance and Buildings for Life 2018 guides developers to introduce new built forms which provide suitable responses to the site and its setting and which would relate well to the area and surrounding. The Guidance considers the context of sites and

their location, and whilst seeking to respond to existing local character and identity, does not discount development which would introduce built form of an appearance that would add new character and a different identity to places, particularly where scale or density of new development may be different to the existing place.

The accompanying Design and Access Statement has sought to trace how the initial concept and roots of the development has grown into the scheme proposed in this application and the reasons behind the more eclectic style of approach. As a relatively large piece of land for a single dwelling and for the area and particularly given its prominent location a corner plot, it is considered that a development can afford to hold an important and commanding position within the street scene.

It is considered that the proposed development, whilst diversifying from more traditional built form in the immediate area, is considered to be an acceptable and befitting response to the setting and location of the plot, and within the locality and area to which it would relate and as such would comply with Bury UDP Policies EN1/2, H2/1, H2/2 and the principles of the NPPF.

Impact on residential amenity - There is no specific guidance on aspect standards for new built residential development. However, SPD6 contains supplementary guidance on extensions and assessment of their relationship to adjacent properties and is a useful tool when considering impacts of new development.

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 and 6.5m between a principal window and a single storey blank wall.

Where there is a difference in levels or additional storeys, additional separation of generally 3m would be sought.

Relationship to No 71 Brooklands Road

The proposed building would be positioned with the length of the north east elevation facing the side gable of this property. At its closest point, the proposed building would be 2m from the shared boundary and 6.2m away from the side of No 71. The longer length of the north east elevation would be set further back into the site, resulting in a distance of 7m to the shared boundary. The proposed building would be 1.2m higher than No 71.

There are no habitable room windows on the side elevation of No 71 and there are none proposed to the new build which would face this neighbour apart from small windows to living areas at the ground, first and second floor. These would be secondary windows (the principal windows would be located on the north elevation facing Brooklands Road) and would face the blank gable of No 71. There would also be one bedroom window located at the 3rd floor level. This window would also be secondary, would face the side plane of the roof of No 71 and would be 11m away. As such, it is considered there would be no significant impacts on the privacy of the adjacent occupiers.

In terms of the height, the proposed building would not be significantly higher than No 71 Brooklands Road and with a separation of more than 6m, it is considered there would be ample space between the built forms not to result in an overbearing and dominant impact. The form of the proposed building with the curved and rounded corners would also reduce the apparent massing of the building to No 71 and with the set back of the upper floor, the relationship to No 71 would be similar and fairly typical of the relationship between other residential properties.

It is proposed to site the apartment block on the same building line to the adjacent properties on Brooklands Road and as such there would be no encroachment further forward or impact from the outlook from the front of these houses.

It is therefore considered that the proposed development would not significantly impact on the amenity of No 71 and would comply with the aspect standards and separation distances

advised in Policy Guidance Note 6.

Relationship to No 70 Park Road

The proposed building would be set at an angle to No 70 Park Road, with the curved form of the south eastern section of the building 9.5m away from the side elevation of No 70 at the nearest point. There are no habitable room windows in the side elevation of No 70 which would be overlooked and no windows on the new property which would impact or overlook No 70.

Up to second floor level, the building would be slightly lower than the height of No 70 and with a separation of 9.5m it is considered that the form and massing of the proposed building and its relationship to No 70 would not be significantly different if compared to a 'standard' two storey dwelling. The upper floor would add an additional 3m in height to the proposed building and as such would be higher than No 70. However, this floor would be to a penthouse, set back from the main elevations and would appear a subservient element to the building. There would be a separation distance of more than 16 m between the penthouse and No 70 and as such considered there would be adequate intervening space between the two properties so not to cause an overbearing or dominant relationship of the new build.

Part of the roof space on this side of the building would be used as an outdoor terrace area. There would be a 1.3m high screen which would be erected around the terrace and provide some screening. The outdoor space would be more than 10m away from the side of No 72 and orientated such that any overlooking would be to the front of No 70 and their driveway and not .

It is therefore considered that the amenity and privacy of the occupiers of No 72 would not be unduly compromised by the proposed development, aspect standards would be compliant and the proposals would conform with policy guidance.

Relationship to other properties in the vicinity

There would be a separation distance of more than 26m between the proposed apartment building and the houses opposite to the north and west on Park Road and as such separation distances would be satisfied.

It is therefore considered that the proposed development would not have a detrimental impact or adversely affect the amenity or privacy of the occupiers of the adjacent properties with regards to the siting, height, orientation or form of the development and would comply with the separation distances and aspect standards as advised in adopted policy guidance. As such, the proposed development would comply with UDP Policies H2/1, H2/2, EN1/2 and SPD6.

Highways -

Access - The application proposes to utilise the existing driveway access into the site off Park Road which would be widened to facilitate the safe entrance and exit of a car both ways.

Parking for the development would be located beneath the building in the basement and a ramped entrance would be provided to the rear (east) of the site. The access through the site to the ramp would narrow to a width of 4.5m, which would only allow one car at a time to either exit or enter the basement car park.

To ensure there would be no conflict between the movement of vehicles and to enable safe entry and exit, the entrance would be controlled by a traffic light system which would be set to a red light on entering to the site. Essentially, when a car approaches the ramp, the traffic light would be on red. A fob would then be pressed which would then operate the roller shutter door to the basement and change the light to green to signal that access to the car park was clear and possible. When egressing the site, a traffic light would operate from the basement on a PIR system, again signalling the safe exit of a car.

The basement would provide 15 spaces in total and for a residential development of this scale, car movements would be staggered throughout the day and evening like any other residential areas. The proposal to install the traffic light and fob system would also ensure that conflicts between vehicles accessing the site would not occur.

In terms of traffic, which is one of the concerns raised by the objectors, the proposed development for 9 apartments would generate more traffic than a single dwelling would do to this site. The site has an extant permission for a development of 4 no. x 4 bedroomed dwellings, which in itself would generate more traffic to the area than the existing situation and which also relied on individual driveways to each property.

The scale of the proposed development, whilst increasing the number of cars to the area, would not do so to such a significant degree to intensify vehicular movements in the area to unacceptable levels. Like most other residential areas, it would also be highly unlikely that the comings and goings to the site would all be at the same time to warrant any concerns about traffic generation. With a system in place to regulate the movements of cars to and from the site by the traffic light system, traffic would be controlled into and out of the site.

It is therefore considered that the scale of the proposed development would be acceptable in terms of traffic generation and access arrangements and the Highway's Section have raised no concerns in this regard.

As such it is considered that the proposed development would comply with EN1/2, H2/2 and HT6/2.

Parking - SPD11 advises that in high access areas, a maximum of 14.5 spaces would be required for the development.

It is proposed to provide 17 parking spaces in total for the development, 15 spaces (including a disabled space) in the basement and 2 spaces which would be located off Brooklands Road to the north east of the site.

The development would provide almost 200% provision, would accord with policy guidance and therefore considered to be acceptable for the scale of this development. There are also parking bays down one side of Park Lane and unrestricted on street parking on Brooklands Road and the surrounding streets.

In terms of disabled access, there would be a lift which would lead from the basement carpark to all floors of the apartment block. A level access would also be provided to the front entrance from the 2 spaces located in the north east of the site via an internal pathway.

It is therefore considered that the proposed development would be acceptable in respect of highway's issues and would comply with H2/1, H2/2, EN1/2, HT2/4, HT6/2 and HT5/1

Ecology

An Arboricultural Impact Assessment and Method Statement and an updated Bat Survey have been submitted with the application. GMEU have been consulted on the proposals.

Bats - An updated bat report has been submitted which confirms the works were carried out as recommended in the original report. Bat boxes have been installed in the tree to be retained.

Nesting birds - The development would result in the loss of trees and shrubs. British bird nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981 as amended. A condition is therefore recommended to restrict the timings of works to vegetation unless a survey is carried out to confirm there are no active bird nests present.

Contributing to and Enhancing the Natural Environment - The main features of ecological interest are the boundary trees, the majority of which would be retained. Some vegetation would, however, be lost but this would represent a low negative impact at the site level. Mitigation should however be possible through replacement planting and provision of bird boxes. A landscape scheme has been submitted and GMEU are satisfied that the proposals can be conditioned, together with the implementation of bat boxes/bat bricks

Air Quality

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, the EH Section recommends that the applicant shall provide EV charging points for each residential unit (dwelling with dedicated parking) or one EV charging point per 10 spaces (unallocated parking). EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved charge point model list.

Given the location of the site and the scale of the development, it is considered that one EV charging point would be reasonable to provide, and as such this would be a condition of an approval to which the developer has confirmed agreement.

Planning obligations - The scale of the development is not sufficient to require/trigger any S106 obligations at this time.

Response to objectors

- The objections raised with regards to traffic, parking, access, design, and impact on residential amenity have been covered on the above report.
- The plot of land is considerable in size and it is considered that the proposed development would comfortably accommodate the scale, density and height of development proposed.
- The character of the development for residential purposes would be in keeping with that of the surrounding area. Whilst its form would be different providing apartment style living, it does not mean that it is necessarily unsuitable or inappropriate in a residential area. There are examples of other apartment developments in the vicinity.
- Bat boxes have been installed in the existing tree and would be maintained and a condition would be required to require the use of bat boxes/bat bricks within the building.

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 - Existing site R-0420-111 Rev B; proposed site plan R-0420-100 Rev F; Proposed basement and ground floor plans R-0420-101 Revision E; Proposed first and second floor plans R-0420-102 rev E; Proposed third floor plan (penthouse) R-0420-102-1 Rev B; Proposed elevations

R-0420-103 Rev E; Proposed sections R-0420-104 Rev C; Proposed street elevations R-0420-110 Revision C; Tree survey and root protection areas 5429.04; Tree protection plan 5429.05; Landscape proposals 5429.03 Rev C ; Bat Method Statement 22/9/2019 updated 4/1/18 by Angela Graham Consultancy Service Arboricultural Impact Assessment and Method Statement October 2019 by the landscape architects - and the development shall not be carried out except in accordance with the drawings hereby approved.

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

3. No development shall commence unless and until:-

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

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. Prior to first occupation, the applicant shall provide and make available for use one EV charging point in the car park hereby approved. The charging point shall thereafter be retained.

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

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

7. The development hereby approved shall be carried out in accordance with the Landscape Proposals indicated on approved plan 'Landscape proposal dwg 5429.03 Rev C' and shall include the provision of bat boxes and bat bricks in the

development hereby approved. The approved scheme shall be implemented not later than 12 months from the date the building(s) is first occupied or the first planting scheme; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority. the provision of the bat boxes and bat bricks shall thereafter be maintained.

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, EN6/3 - Features of Ecological Value and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan, and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 6 l/s.

Details of proposed maintenance arrangements should also be provided.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme 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. 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.

10. No development shall commence and unless and until details of the formation of the proposed vehicular accesses indicated on approved plan reference R-0420-100 Revision F have been submitted to and approved by the Local Planning Authority, and to include -

- incorporating revised/agreed boundary treatment/measures to ensure adequate visibility at the back edge of the footway on the southerly side of the access onto Park Road and easterly side of the access onto Brooklands Road,
- the provision of accesses/footway crossings to a specification to be agreed,
- demarcation of the limits of the adopted highway following removal of the affected boundary wall,
- minimum 5.0m long level access to the basement ramp in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adjacent adopted highway
- and all associated highway remedial works abutting the site required as a result of the construction of, and statutory undertakers connections to, the proposed development.

The approved details shall thereafter be implemented as approved prior to the development hereby approved being occupied.

Reason. information not submitted at application stage. To ensure the

intervisibility of the users of the site and the adjacent highways, to secure the satisfactory development of the site in terms of highway safety and maintain the integrity of the adopted highway pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

11. 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:

- Access point for construction traffic from the adopted highway;
- Hours of operation and number of vehicle movements;
- 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;
- Proposed site hoarding/gate/crane positions (if proposed), including the provision, where necessary of temporary pedestrian facilities/protection measures on the adopted highway;
- 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.

12. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The layout of New residential Development, EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

13. The car parking indicated on the approved plans shall be surfaced 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, EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

14. The balustrade screen to the 3rd floor terraced area hereby approved on the proposed elevations plan R-0420-103 Rev E shall be obscure glazed to minimum Building Regulations Standards and shall be fitted prior to the first occupation of the penthouse apartment (Apartment Type E) on the 3rd floor and shall thereafter be maintained.

Reason. To protect the privacy of the occupiers of the adjacent properties pursuant to Bury Unitary Development plan Policies H2/1 - The Form of New

Residential Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

15. Notwithstanding the proposals for the balustrade, referenced in condition 14, the development shall be carried out in accordance with the materials details submitted on approved plan 'Proposed elevations' R-0420-103 Rev E.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policies EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development of the Bury Unitary Development Plan.
16. The boundary wall and hedging shall be retained as shown on the approved proposed site plan R-0420-100 Rev F and proposed street elevations R-0420-110 Rev C.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policyies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
17. The oak tree in the north western corner of the site, 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64642

**ADDRESS: 72 Park Road
Prestwich**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64642

Photo 1



Photo 2



64642

Photo 3



Photo 4



64642

Photo 5



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

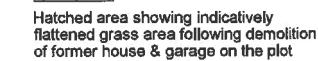
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The Building Contractor is to verify the thickness of the party walls prior to commencement of the proposed works.

Topographical survey as received by
Survey Systems dated June 2017, file No.
17720A, drawing No. 17720A:200:1:1.



Red dotted line indicating proposed building footprint

CLIENT
MR. L. FRUHMANN & MR. S. CANTOR

PROJECT
Proposed Apartments.
72 Park Road, Prestwich.

Existing Site

SCALE 1:100 @ A1	DATE May 2019	DRAWN PB	CHECKED
DRAWING NO. R-0420-111	CAD REFERENCE NO.	REVISION B	

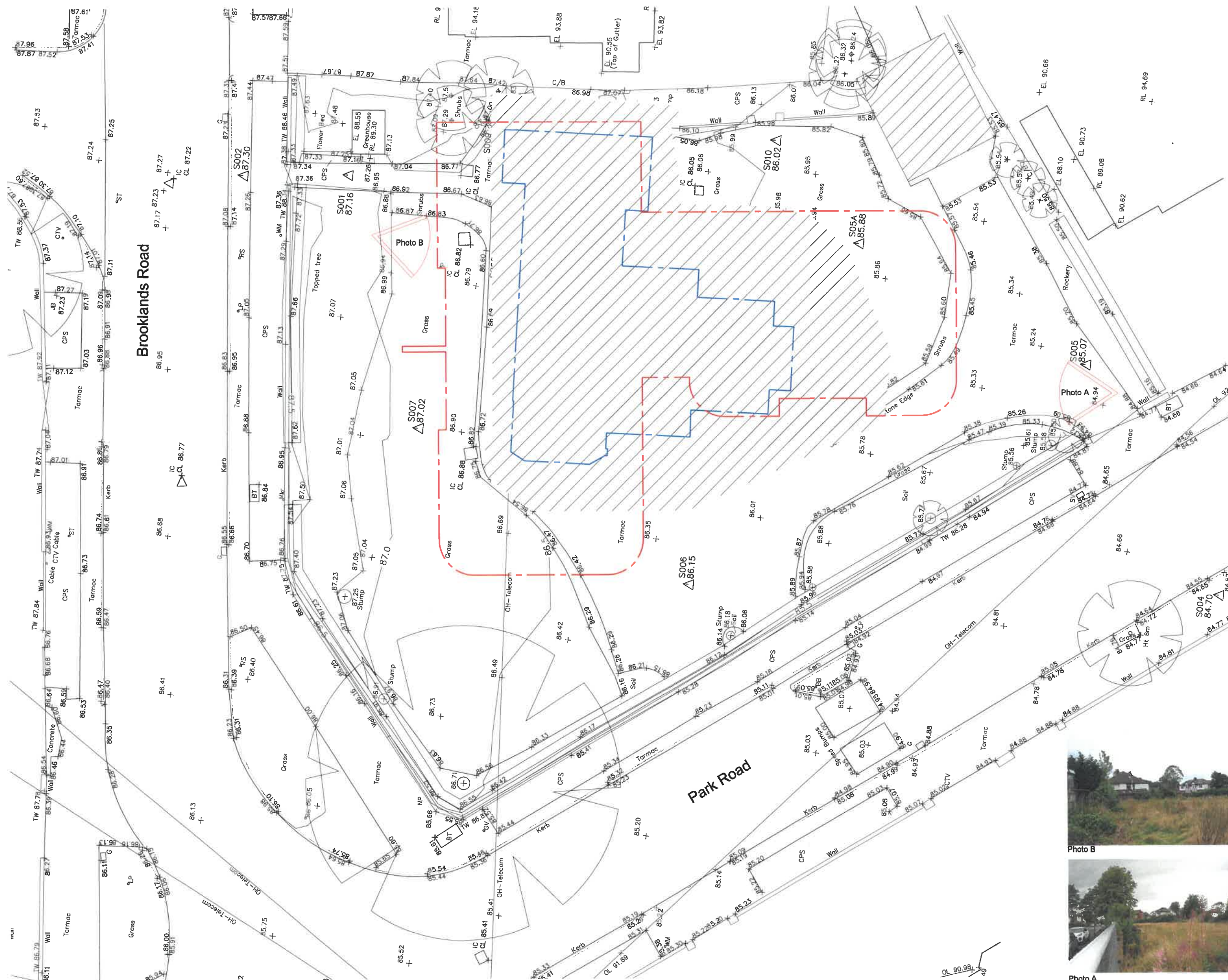
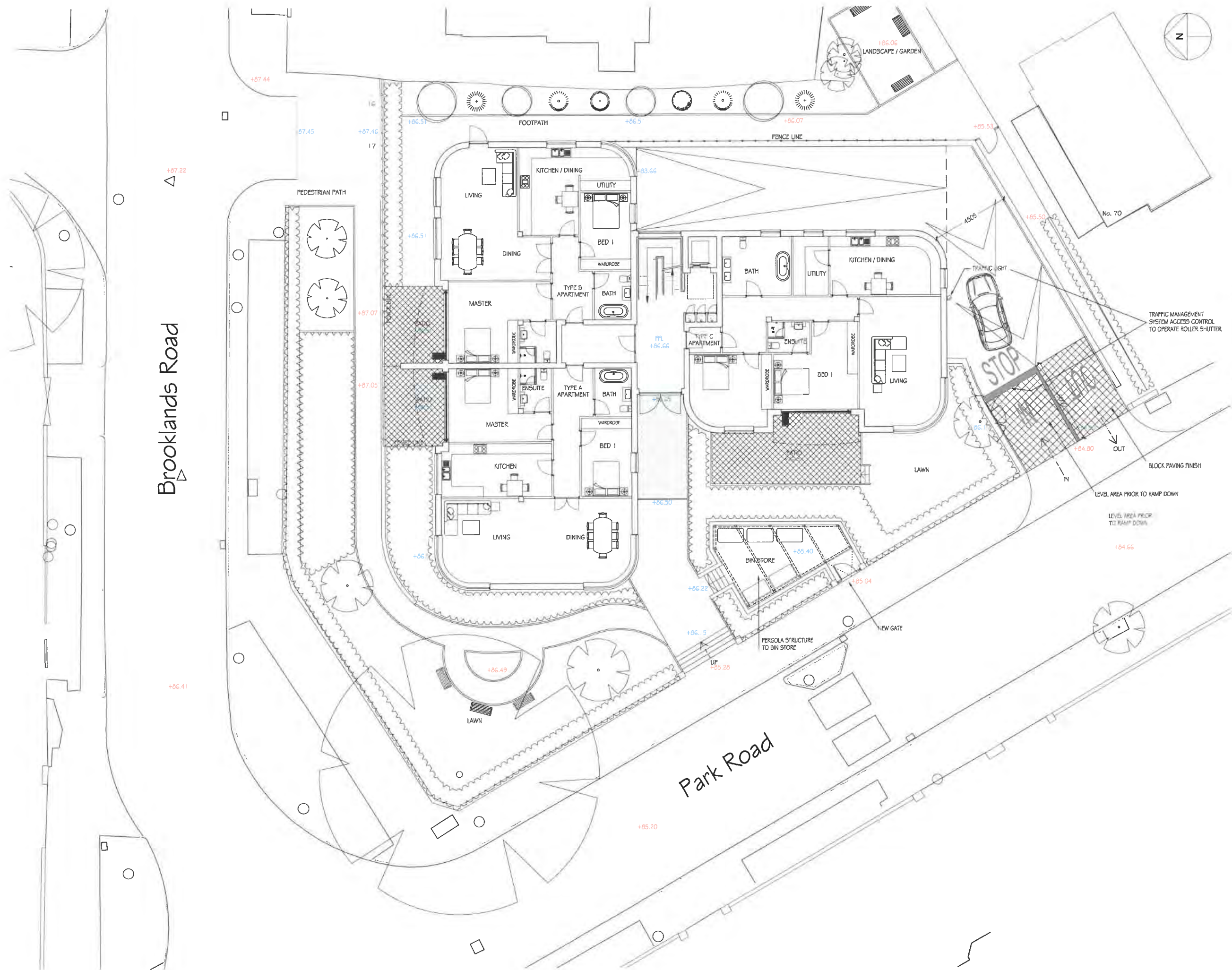


Photo B

A photograph showing a grassy field with trees in the background and a white fence in the foreground. The sky is overcast.

Photo A



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The building owner is to serve a Party Wall Act Notice as applicable to adjoining property owners as outlined in The Party Wall Act 1996. The Building Contractor is to verify the thickness of the party walls prior to commencement of the proposed works.

Schedule of Accommodation

2 No Type A, 2 BED, circa 133 m2 each
2 No Type B, 2 BED, circa 124 m2 each
3 No Type C, 2 BED, circa 143 m2 each
1 No Type D, 3 BED, circa 272 m2 each
1 No Type E, 3 BED, circa 235 m2 each

18 No parking bays

Key:

+0.00 = Proposed Levels in Blue
+0.00 = Existing Levels in Red

F	As requested by Planning added traffic light, updated signage and notes.	PS	20.11.2019
E	As requested by Planning building moved West, rounded corners to East side, updated parking and site store.	PS	15.11.2019
D	Updated windows North Elevation + added levels and schedule of accommodation.	PS	06.08.2019
C	Added traffic access control system.	PS	17.07.2019
REV	DESCRIPTION	CHECK	DATE

CLIENT
MR. L. FRUHMANN & MR. S. CANTOR

PROJECT
Proposed Apartments.
72 Park Road, Prestwich.

DRAWING
Proposed Site Plan

SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	May 2019	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0420-100		F	

equilibrium
ARCHITECTS

435-437 Walkersley Road, Bury, Lancashire BL9 9SU T: 0161 797 2077 F: 0161 797 2088
info@equilibriumarchitects.co.uk www.equilibriumarchitects.co.uk

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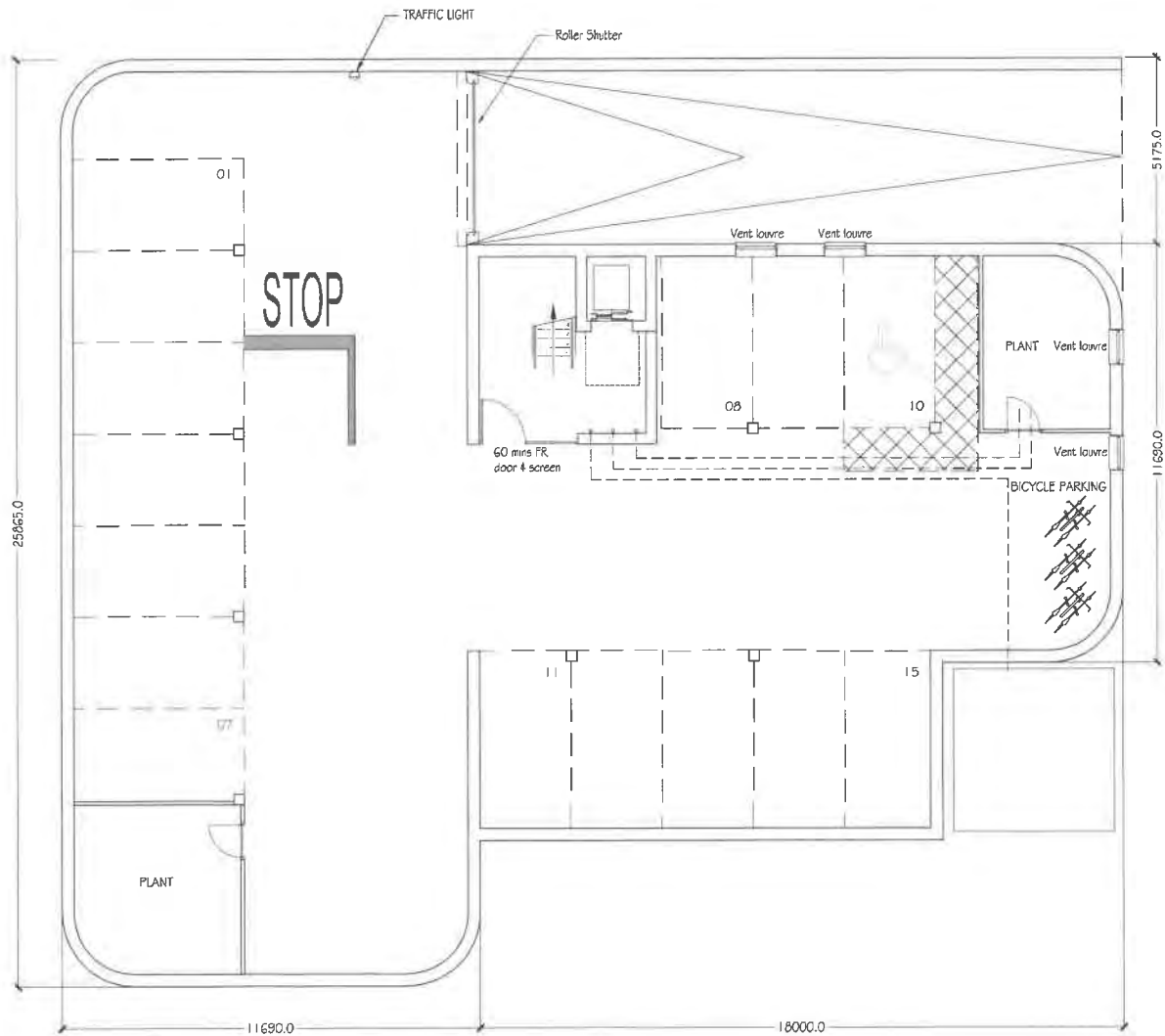
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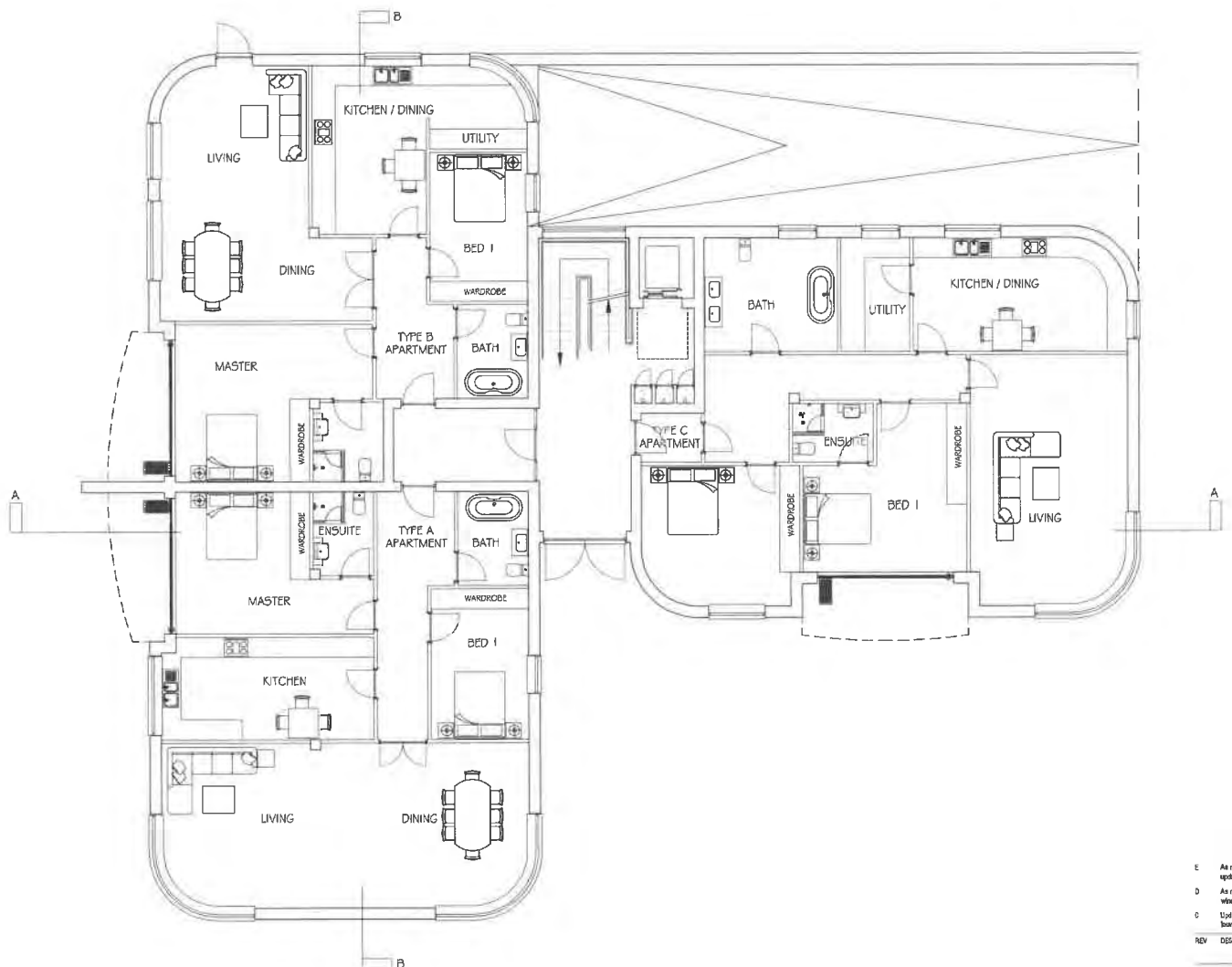
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BASEMENT PLAN



GROUND FLOOR PLAN

E	As requested by Planning added traffic light & signage + updated plant room	PS	23.11.2019
D	As requested by Planning revised content to East side & windows to suit & updated basement parking	PS	15.11.2019
C	Update windows to North Elevations + added ventilation louvers to basement external walls + FR door to staircase	PS	06.08.2019

REV	DESCRIPTION	CHECK	DATE
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CLIENT
MR. L. FRUHMANN & MR. S. CANTOR

PROJECT
Proposed Apartments,
72 Park Road, Prestwich.

DRAWING
Proposed Basement and Ground Floor Plans

SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	May 2019	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0420-101		E	

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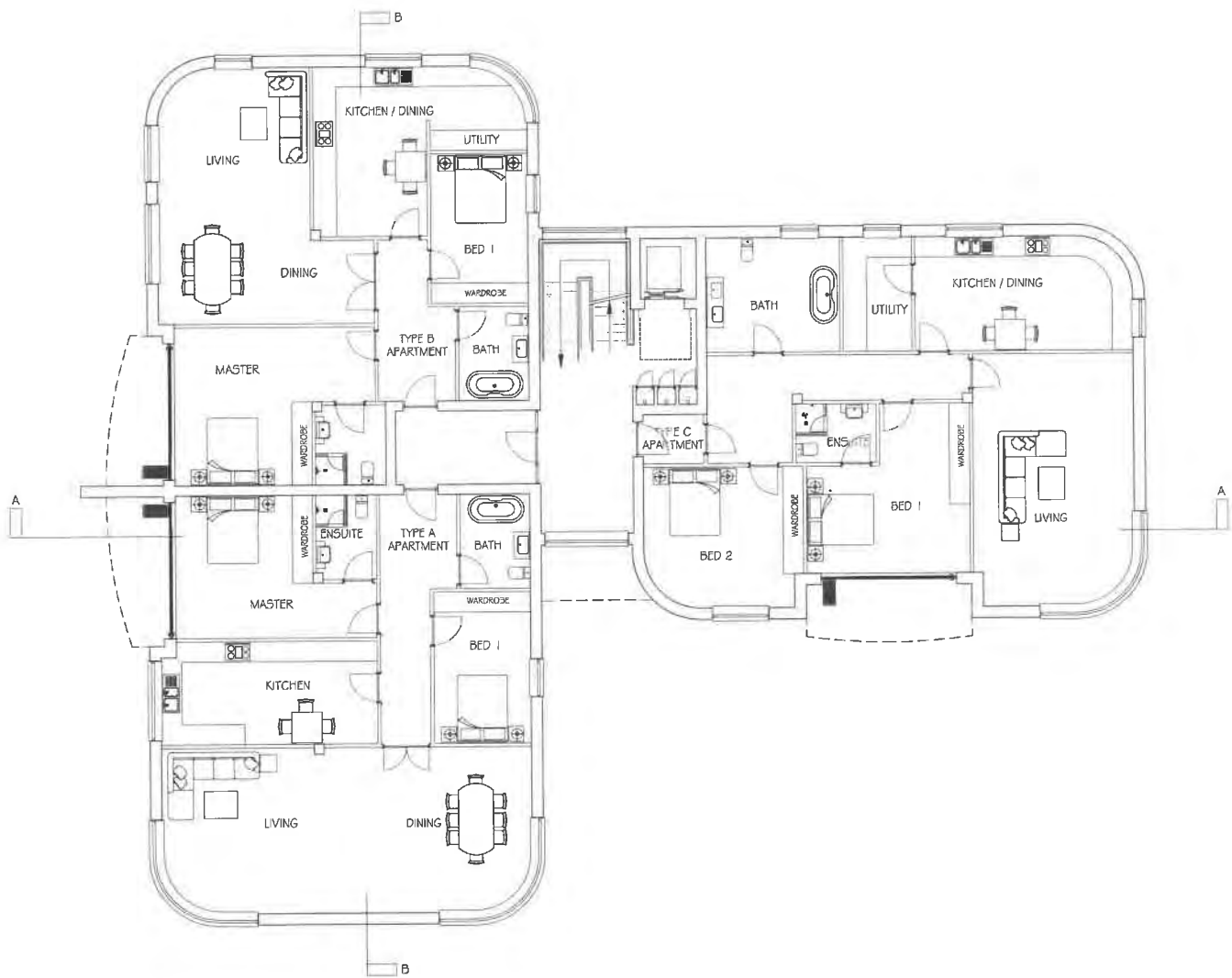
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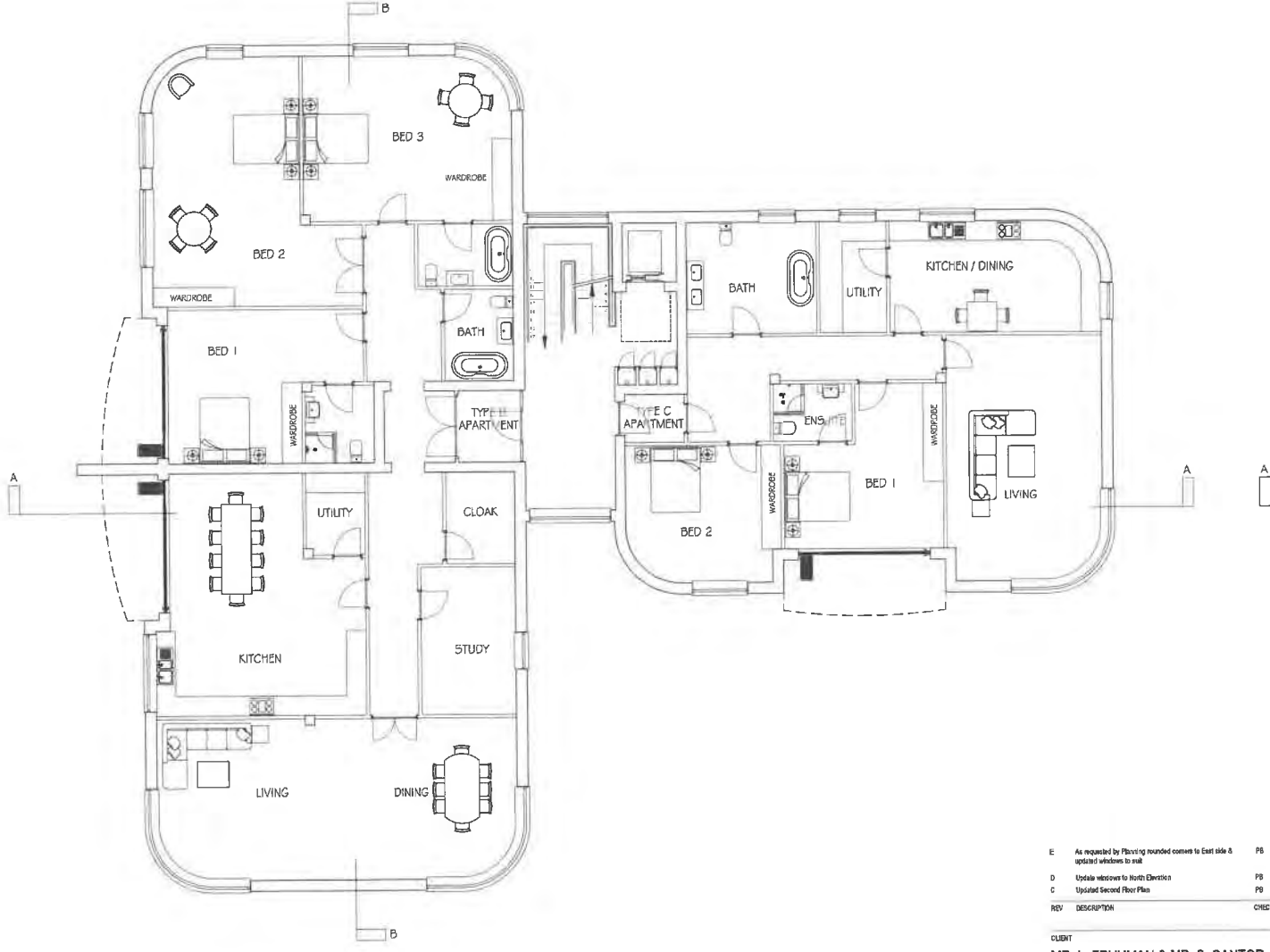
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FIRST FLOOR PLAN



SECOND FLOOR PLAN

E	As requested by Planning rounded corners to East side & updated windows to steel	PB	15.11.2019
D	Update windows to North Electric	PB	08.02.2019
C	Updated Second Floor Plan	PB	11.07.2019
REV	DESCRIPTION	CHECK	DATE

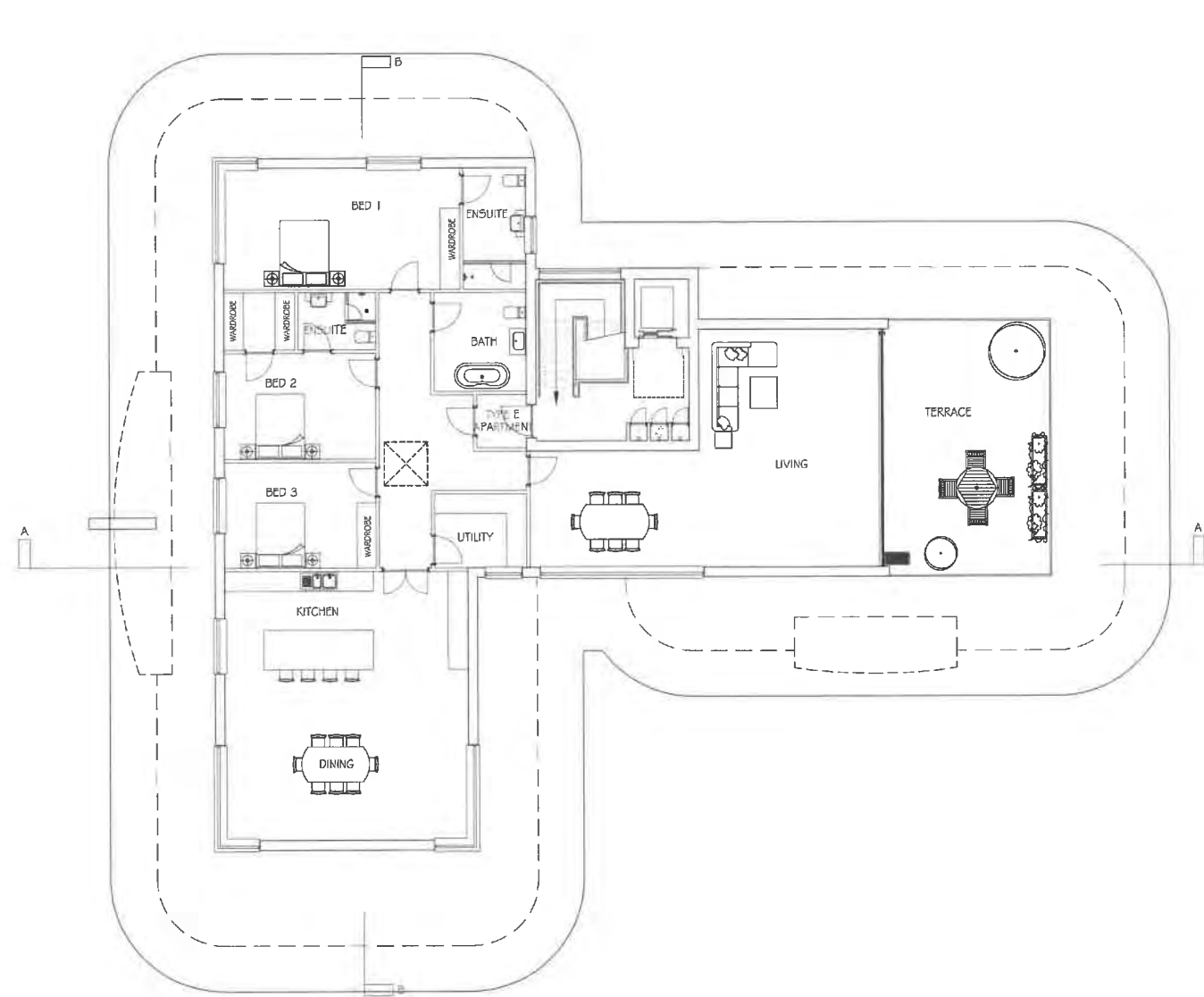
CLIENT
MR. L. FRUHMANN & MR. S. CANTOR

PROJECT
Proposed Apartments.
72 Park Road, Prestwich.

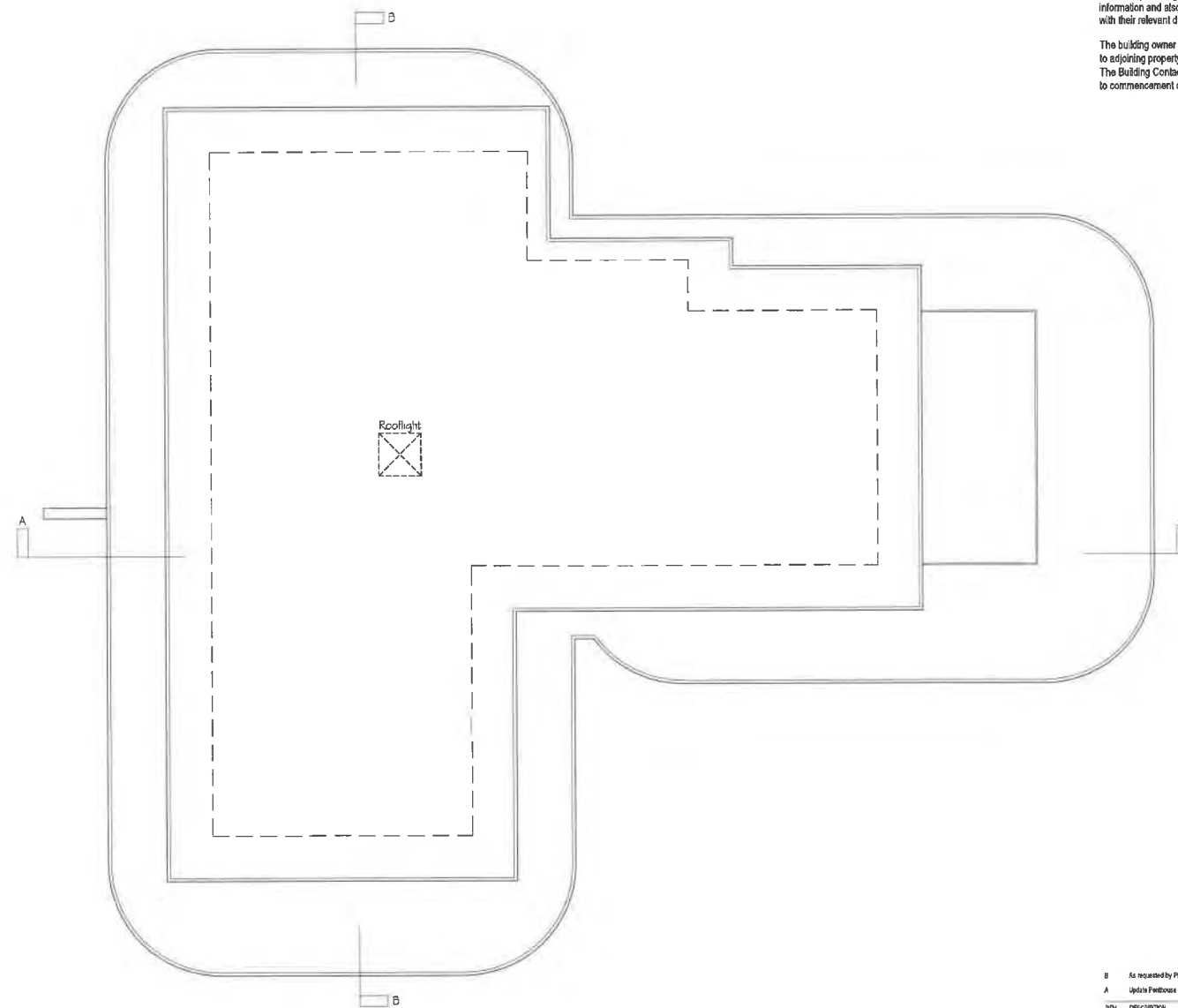
DRAWING
Proposed First and Second Floor Plans

SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	May 2019	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0420-102		E	





THIRD FLOOR PLAN (PENTHOUSE)



ROOF PLAN

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B	As requested by Planning rounded corners to East side	PB	15.11.2019
A	Update Penthouse layout + added rooflight	PS	06.08.2019
REV	DESCRIPTION	CHECK	DATE

CLIENT

MR. L. FRUHMANN & MR. S. CANTOR

PROJECT

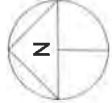
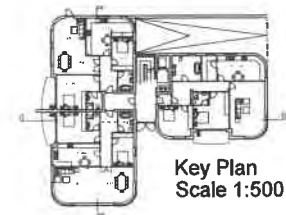
Proposed Apartments,
72 Park Road, Prestwich.

DRAWING

Proposed Third Floor Plan (Penthouse)
Roof Plan

SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	May 2019	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0420-102-1		B	





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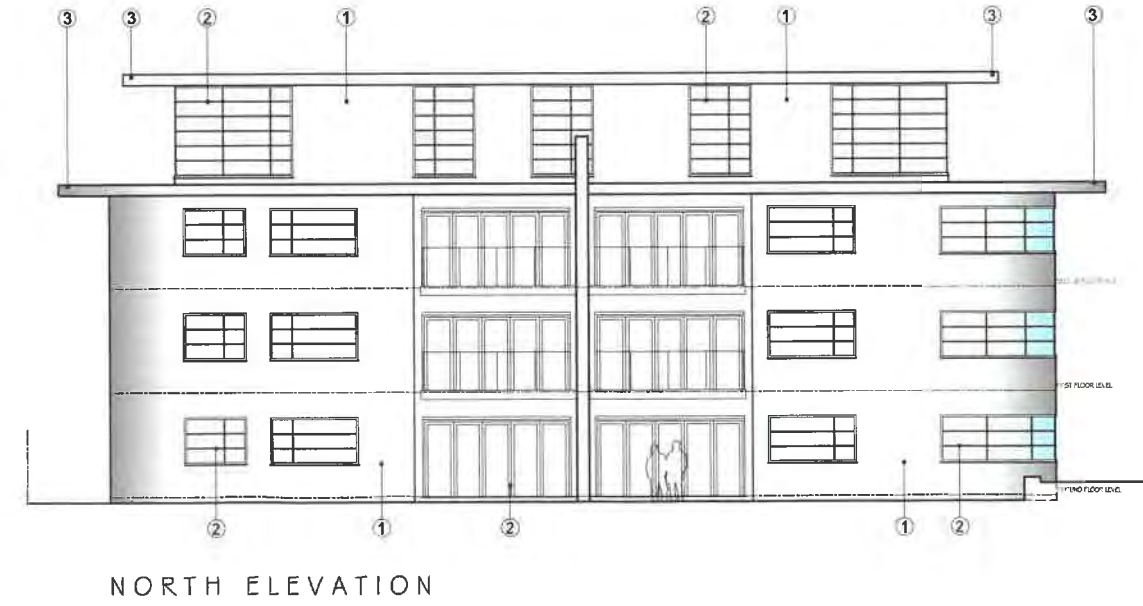
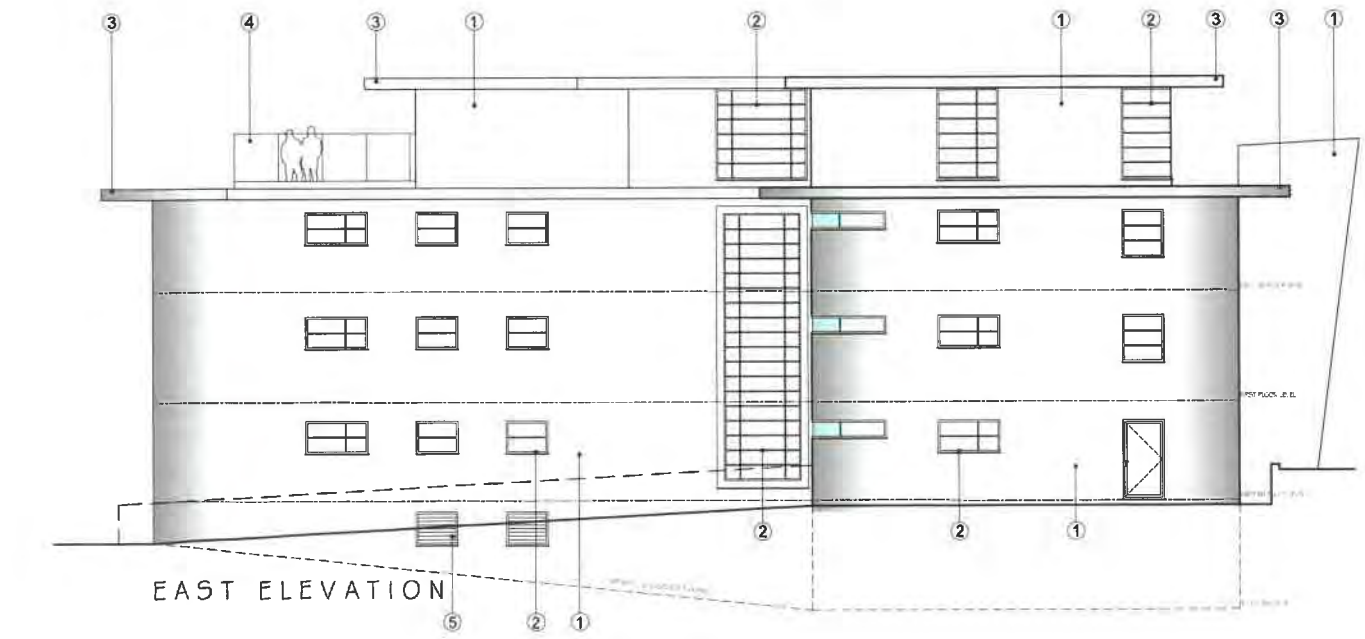
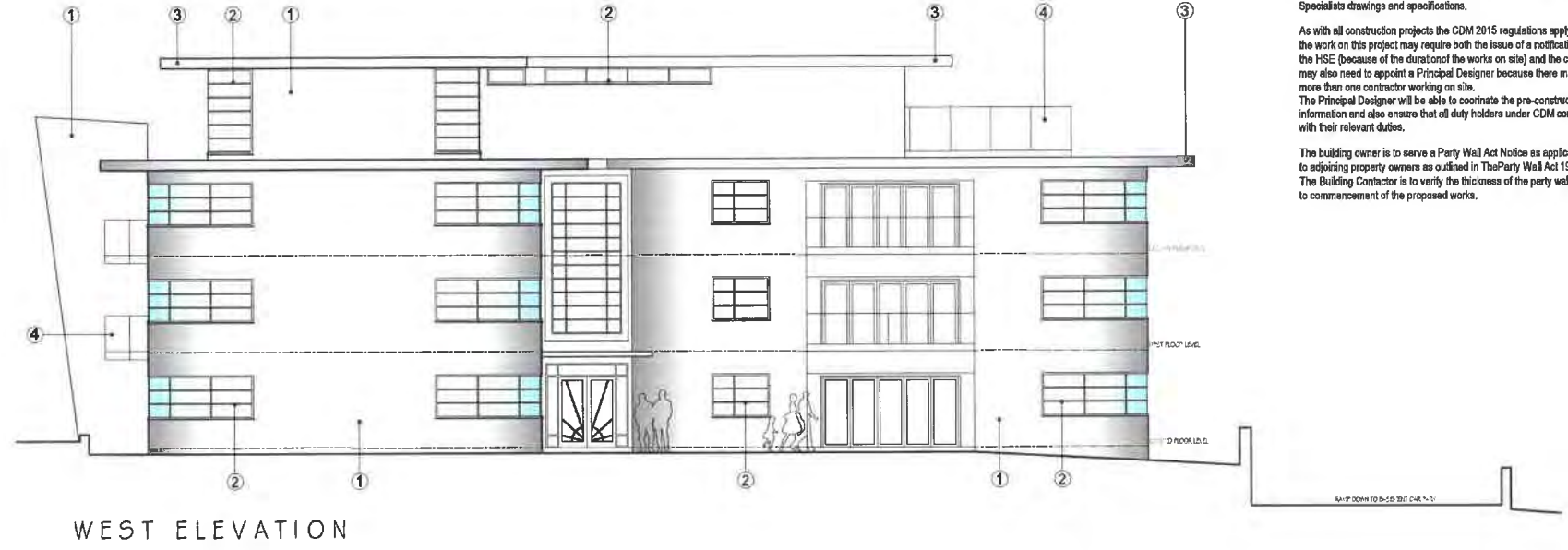
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- Materials:**
1. White reinforced Sto Render with a two brickwork courses plinth to ground floor
 2. Black windows steel powder coated with narrow frame
 3. Black aluminium cladding panels to flat roof overhangs
 4. Clear laminated glazed panels + manifestation to balustrade
 5. Black ventilation louvre steel powder coated to match windows

REV	DESCRIPTION	CHECK	DATE
E	As requested by Planning rounded corners to building East side & updated windows to black + tilted C&E to prevent overflying	PS	15.11.2019
D	Updated windows, louvre & tilted C&E to prevent overflying	PS	06.09.2019
C	Updated tiled floor windows	PS	06.09.2019

CLIENT
MR. L. FRUHMANN & MR. S. CANTOR

PROJECT
Proposed Apartments.
72 Park Road, Prestwich.

DRAWING
Proposed Elevations

SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	May 2019	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0420-103		E	



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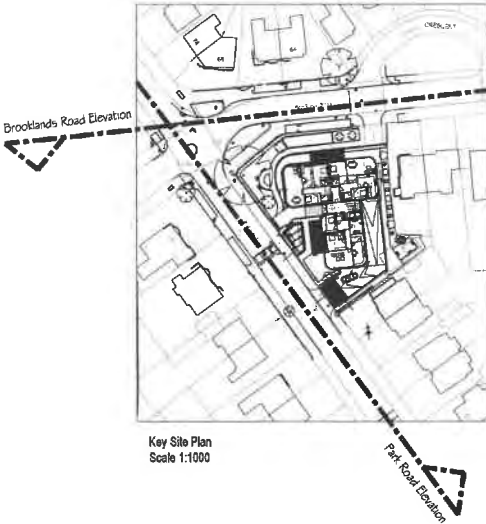
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Park Road Elevation



Key Site Plan
Scale 1:1000



Brooklands Road Elevation

C	As requested by Planning consented scheme to building East side & updated windows to wall	PB	15.11.2019
B	Updated elevations	PB	06.03.2019
A	Updated elevations	PB	18.07.2019
REV	DESCRIPTION	CHECK	DATE

CLIENT
MR. L. FRUHMANN & MR. S. CANTOR

PROJECT
Proposed Apartments.
72 Park Road, Prestwich.

DRAWING
Proposed Street Elevations

SCALE	DATE	DRAWN	CHECKED
1:200 @ A1	May 2019	PB	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0420-110		C	

Ward: Bury East - Redvales

Item 05

Applicant: Marquee P Ventures LTD

Location: 221 Manchester Road, Bury, BL9 9HJ

Proposal: Change of use from dwellinghouse (Class C3) to 7 person house in multiple occupation (HMO)

Application Ref: 64721/Full

Target Date: 03/12/2019

Recommendation: Approve with Conditions

Description

The application relates to a two storey semi-detached house on the east side of Manchester Road, to the south of the Parkhills Road junction. The property has pedestrian accesses from both Manchester Road and Heaton Fold, both of which are adopted highways. On the Manchester Road side, the garden level steps up from the footway and there is a stone wall and timber boundary fence to a height of just over 2m. On the Heaton Fold side, there is a small triangular paved forecourt, used to store bins and for informal parking.

The attached property (No.223 Manchester Road) to the south is a house and across Heaton Fold to the east is a residential terrace of 8 houses on Moss Place. To the north is the Staff of Life public house. To the west, across Manchester Road is the Redvales recreation ground. There are parking restrictions along this part of Manchester Road and along Heaton Fold with a residents parking scheme in place.

The proposed development involves:

- Change of use of the existing dwelling to a 7 person House in Multiple Occupation.
- The ground floor would comprise communal kitchen and lounge/dining areas with two bedrooms with en-suite. The first floor would have three en-suite bedrooms and two bathrooms. The second floor/attic would have two further bedrooms. The small basement room would be used for laundry.
- Two additional rooflights would be installed, one on each roof plane.

A Design and Access statement and a Travel Plan have been submitted with the application, highlighting the site's sustainable location in relation to local services states and public transport. The applicant has also confirmed that the HMO would be for 7 people only.

Relevant Planning History

None relevant.

Publicity

The following 12 neighbouring properties were notified by letter dated 10/10/19. 209-225(even), Manchester Road, 8 and 10 Heaton Fold, 2 and 4 Moss Place and 100 Brierley Street.
Site notice posted 22/10/19.

Eight objections received from the following addresses: 43, 45 49 Heaton Fold, 2 and 14 Moss Place, 221, 223 and 229 Manchester Road - concerns are summarised:

- The proposal would increase existing pressures on parking in the immediate area.
- If parking permits are issues, the parking problems will increase.
- Increased noise and disturbance.
- Not enough residents were informed about the proposal.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Environmental Health - No objection.

Waste Management - No objection.

Greater Manchester Police - No objection.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

S1/2 Shopping in Other Town Centres

S2/3 Secondary Shopping Areas and Frontages

EN1/2 Townscape and Built Design

H2/4 Conversions

HT2/4 Car Parking and New Development

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 - It is important to state that the conversion of a single dwellinghouse to a House in Multiple Occupation (HMO) for 6 persons is 'permitted development' under the current Use Classes Order. This application seeks permission to provide additional accommodation for a seventh person and as such the main issue to consider is what the impact of the additional person would have in planning terms.

In terms of housing policy and guidance, 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, including flats and bedsits.

In assessing the principle of residential development, Unitary Development Plan policy H1/2 is relevant and indicates that residential development should be directed to the urban area, have available infrastructure, avoid the need to develop more open land and should be suitable in terms of amenity and surrounding land uses.

As the site is already residential and within the established urban area, the factors to consider are set out in UDP Policy is H2/4 Conversions and specifically relate to conversions and HMOs. These factors are:

- 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.

Design and layout - The proposal would utilise the same entrance as the existing HMO and the property would retain the appearance of a dwelling. There would be three external alterations - the construction of a low boundary wall and pedestrian gate, enclosing the

small forecourt, along the back of the footway on Heaton Fold. This is required to prevent vehicles parking on the forecourt and having to encroach onto the adjacent highway. A condition would require the wall to be built to match the existing building.

New rooflights would mirror the existing rooflights and would not have a significant impact on building design or within the streetscape. There would also be a cycle store in the forecourt.

The proposed alterations would not be visually intrusive or have a significantly detrimental impact on the property or wider streetscape and as such would be in accordance with UDP Policy EN1/2 Townscape and Built Design.

Impact upon Residential Amenity - The immediate neighbour at No.223 is concerned that the proposal would lead to increased noise and disturbance.

Although the 'permitted development' fallback allows the house to be converted to a 6 person HMO without the need to apply for planning consent, it is reasonable, given the intensification of use, to attach a condition to ensure that the property has appropriate acoustic attenuation/insulation on the party wall - to Building Regulations (Part E) standard. With appropriate sound attenuation measures, if needed, the proposed conversion should not have a significantly adverse impact upon the residential amenity of the neighbouring properties and would be in accordance with UDP Policy.

Apart from the two additional rooflights, all the windows are existing and it is not considered that there would be any serious overlooking issues arising. Indeed the existing windows in the side gable, facing towards the Staff of Life public house would be required to be obscure glazed by an appropriate condition, to avoid direct overlooking and possible privacy issues arising in the future.

Highway and Parking - Although a vehicle is sometimes parked outside the premises (see photo), there is no formal on-site parking available and none is proposed. Both Manchester Road and Heaton Fold have parking restrictions and there is a residents permit scheme in operation in the immediate vicinity.

It should be noted, with reference to the small forecourt on Heaton Fold, the applicant would be required to construct a low wall along the back of the footway, to enclose this forecourt in order to prevent vehicles encroaching on the footway along Heaton Fold to the detriment of highway safety.

Situated on Manchester Road, the site has good public transport links with bus stops nearby and Bury Town centre and the metrolink about a kilometre to the north. In addition, a cycle store is proposed on the forecourt.

There are no specific car parking standards for HMO's in SPD11 Parking Standards in Bury, but SPD13 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.

Although residents within HMO's generally have lower levels of car ownership than conventional households, some off-site parking would be preferable to none at all. However, given the size of the property, the proximity to public transport and the fact the proposal is for one additional resident over and above what would be permitted under the current planning legislation, the proposal is 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 general car ownership levels within the HMO sector and the sustainable location, close to public transport routes, town centre and local services, it is not considered that the traffic generated would be so great as to cause undue parking and access problems to the detriment of highway safety. It is considered that the noise and disturbance issues raised by the neighbour have been addressed by work that would be required to be 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 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.

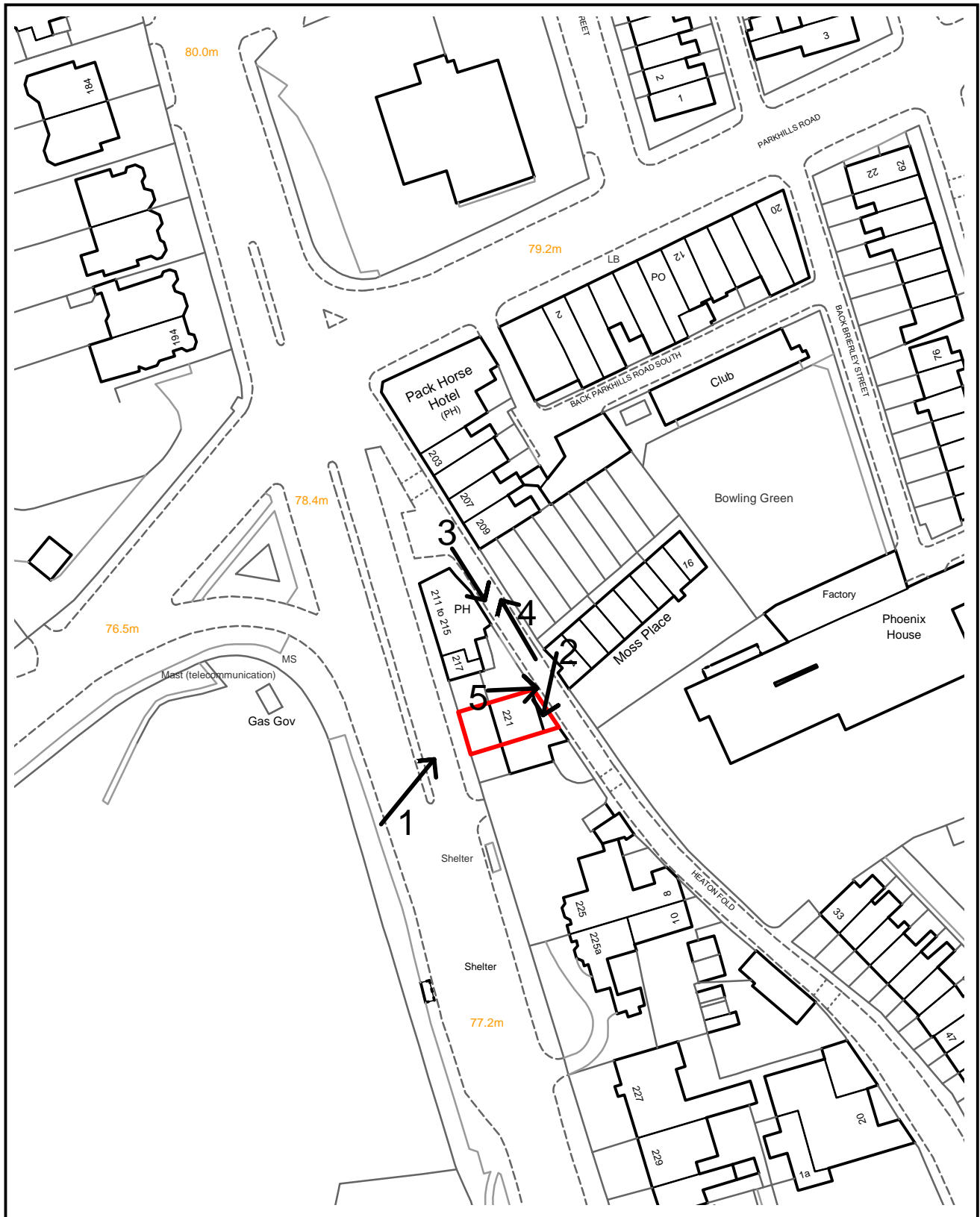
Recommendation: Approve with Conditions

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 HCO-5020-01, 02, 03, 04, 05, 06, 07A and 08 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, the acoustic insulation of the party walls 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. Notwithstanding the details shown indicatively on approved plan reference HCO-5020-06, the use hereby approved shall not commence unless and until full details of the proposed bin store and boundary wall/fence with foundations that do not encroach under the adjacent adopted highway, required to enclose the bin store and prevent the fly-parking of vehicles that cannot be accommodated clear of the adopted highway, have been submitted to and agreed with the Local Planning Authority and Waste Management. The details subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing.
Reason. To ensure good highway design and off-highway bin storage arrangements in the interests of highway safety.
5. Prior to first occupation, all windows in the side gable/north elevation shall be obscure glazed (Min obscurity level 3) and maintained in that condition thereafter.
Reason. To protect privacy in the interests of residential amenity pursuant to UDP 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 64721

**ADDRESS: 221 Manchester Road
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64721

Photo 1



Photo 2



64721

Photo 3



Photo 4



64721

Photo 5





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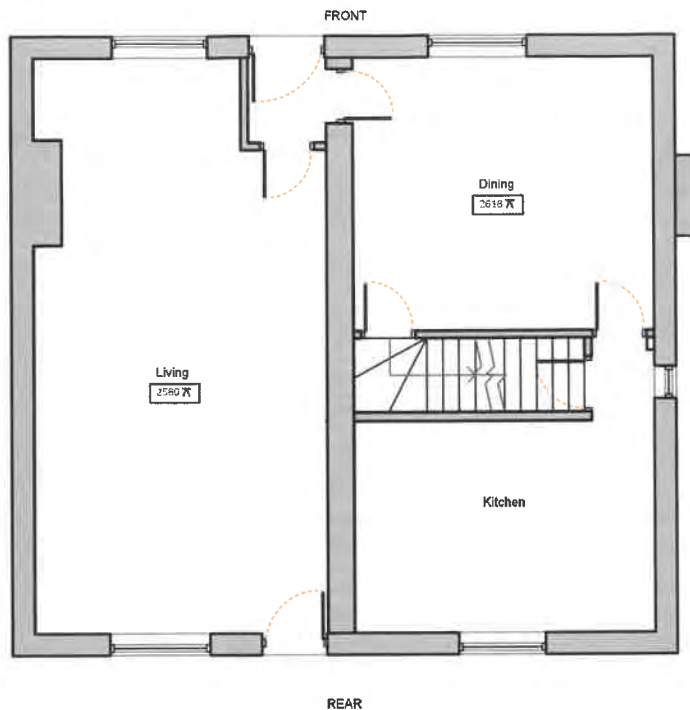
Revisions List:

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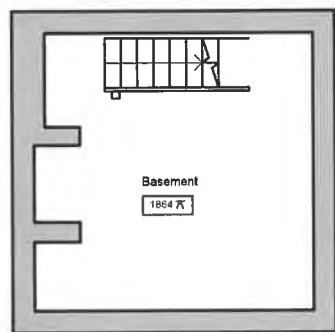


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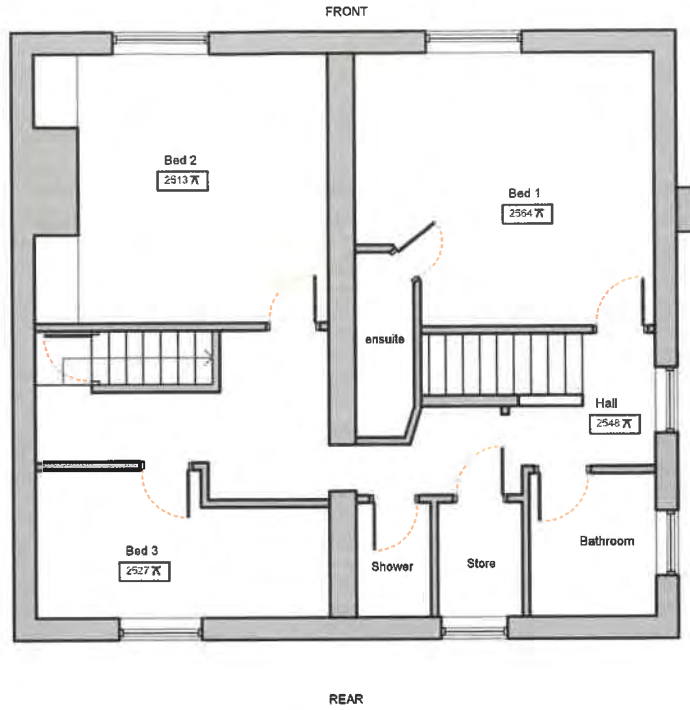
Address: 221 Manchester Road Bury BL9 9HJ	
Title: Location and Site Plans	Drawn: WB
Client: Mr. M Pearse	Checked:
Date: 05-08-2019	Paper: A3
Drawing No: HCO-5020-01	Scale: VARIES
Revision:	



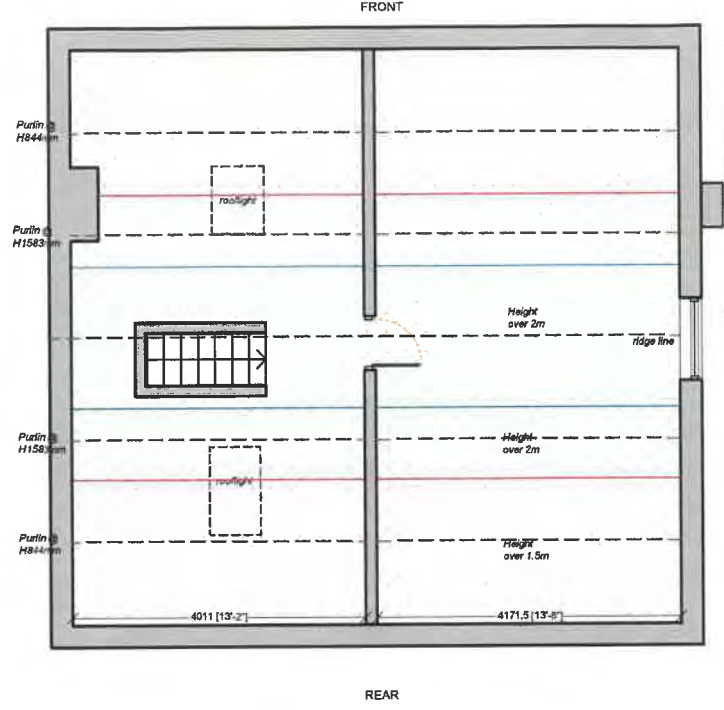
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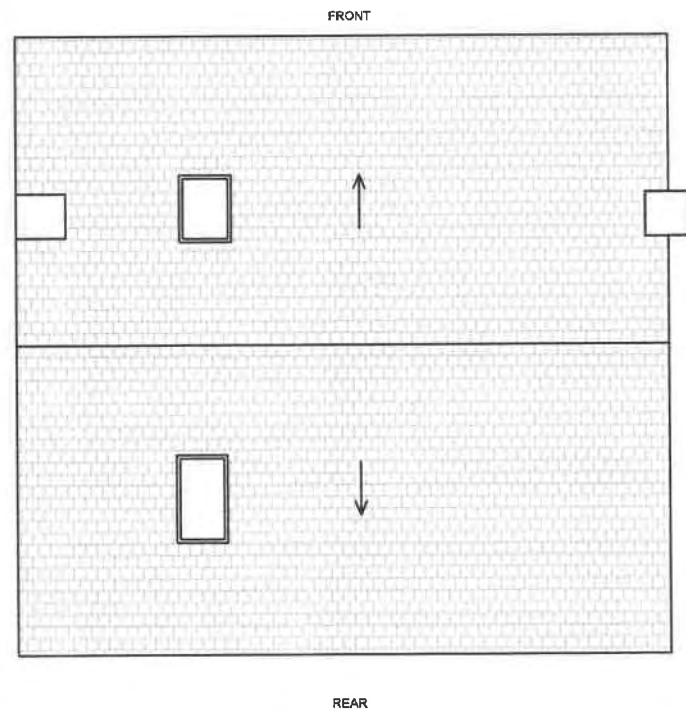
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EXISTING FIRST FLOOR PLAN
1:100



EXISTING ATTIC PLAN
1:100



EXISTING ROOF PLAN
1:100

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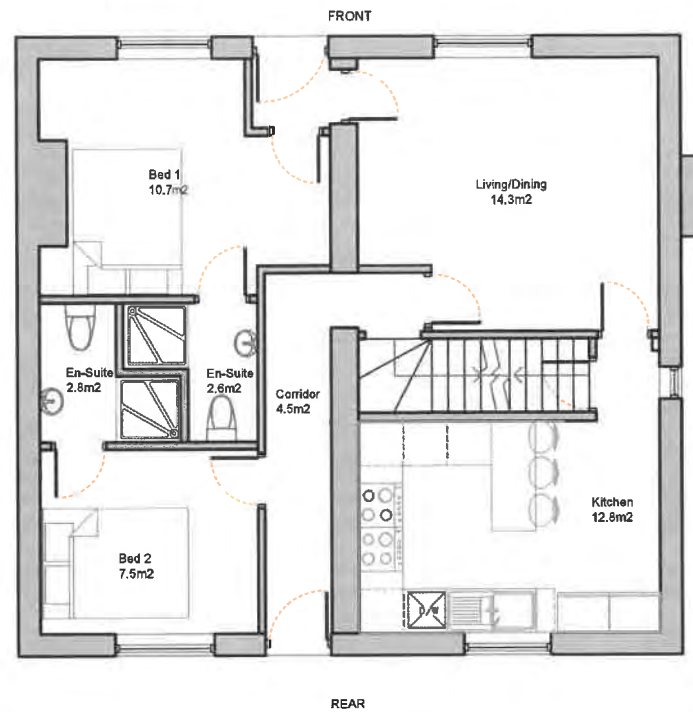
Revisions List:



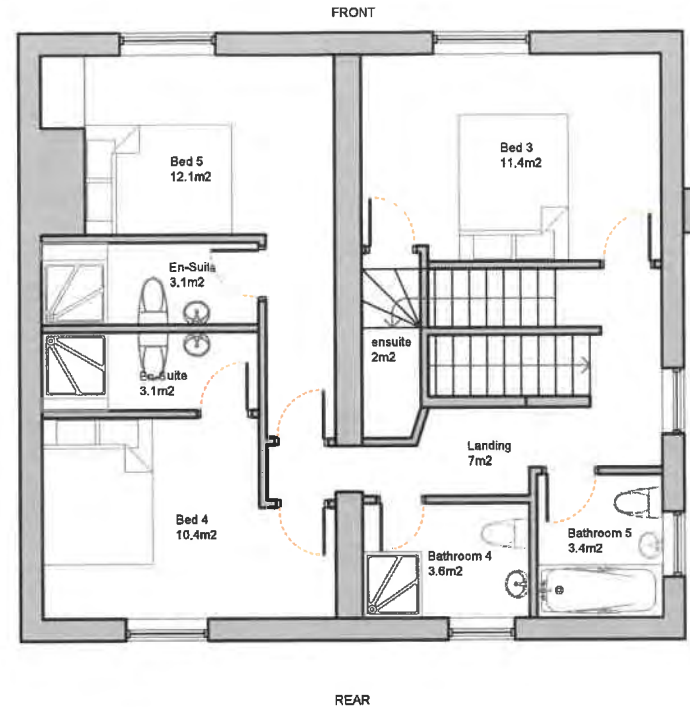
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Address: 221 Manchester Road
Bury
BL9 9HJ

Title: Existing Plans	Drawn: WB
Client: Mr. M Pearce	Checked:
Date: 21-08-2019	Paper: A3
Drawing No: HCO-5020-02	Scale: 1:100
Revision:	



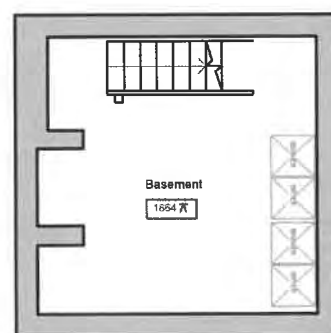
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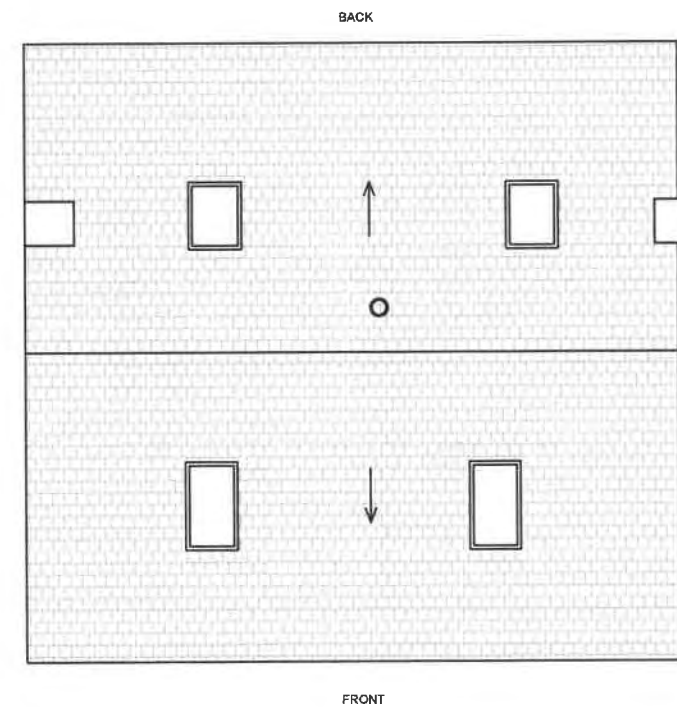
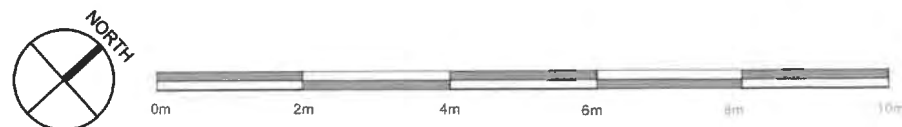
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PROPOSED ATTIC PLAN
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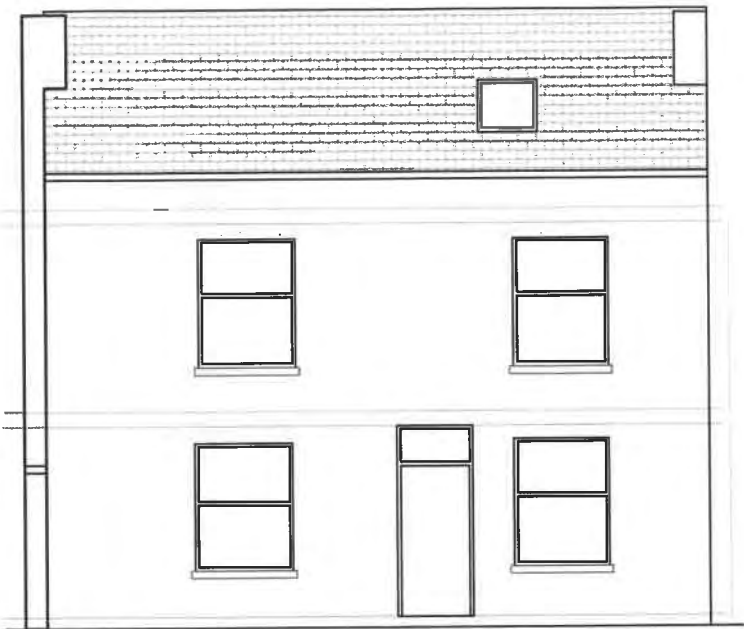


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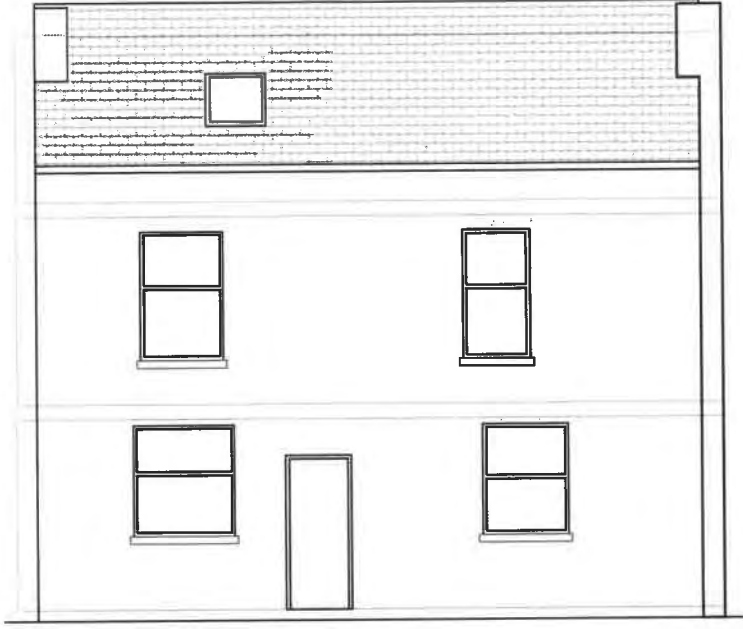


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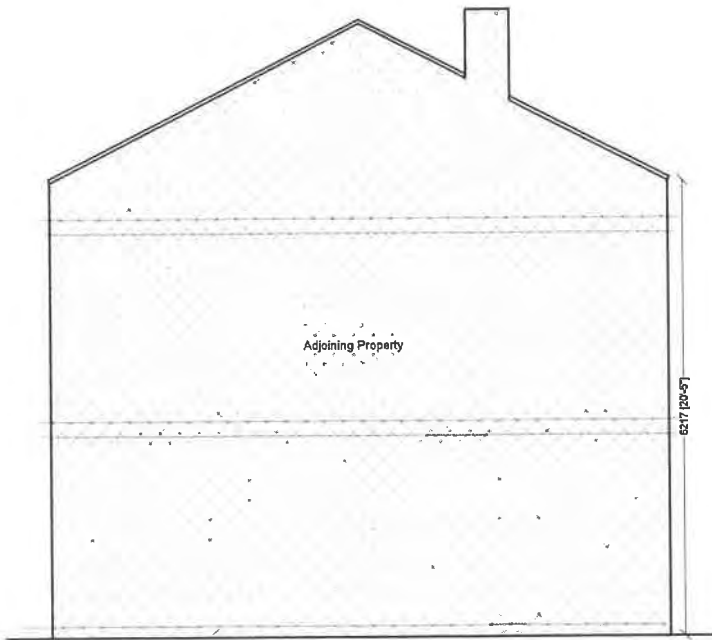
<p>Notes: All work is to be carried out to the latest current British Standards Codes of Practice and recognised working practices. All work and materials should comply with Health and Safety legislation. All dimensions are in millimetres unless where explicitly shown otherwise. The contractor should check and certify all dimensions as work proceeds and notify the agent of any discrepancies. Do not scale off the drawings, if in doubt ask. H A D are not liable for any work undertaken prior to Full Planning Consent and/or Building Regulations Approval. CDM REGULATIONS 2015 The client must abide by the Construction Design and Management Regulations 2015. The client must appoint a contractor, if more than one contractor is to be involved, the client will need to appoint (in writing) a principal designer (to plan, manage and coordinate the planning and design work) and a principal contractor (to plan, manage and coordinate the construction and ensure there are arrangements in place for managing and organising the project). Domestic clients The domestic client is to appoint a principal designer and a principal contractor when there is more than one contractor, if not your duties will automatically transferred to the contractor or principal contractor. The designer can take on the duties, provided there is a written agreement between you and the designer to do so. The Health and Safety Executive is to be notified as soon as possible before construction work starts if the work: (a) Last longer than 30 working days and has more than 20 workers working simultaneously at any point in the project. Or: (b) Exceeds 500 person days. PARTY WALL ACT The owner, should they need to do so under the requirements of the Party Wall Act 1996, has a duty to serve a Party Structure Notice on any adjoining owner if building work on, to or near an existing Party Wall involves any of the following: • Support of beam • Insertion of DPC through wall • Raising a wall or cutting off projections • Demolition and rebuilding • Underpinning • Insertion of lead flashings • Excavations within 3 metres of an existing structure where the new foundations will go deeper than adjoining foundations, or within 6 metres of an existing structure where the new foundations are within a 45 degree line of the adjoining foundations. A Party Wall Agreement is to be in place prior to start of works on site. THERMAL BRIDGING Care shall be taken to limit the occurrence of thermal bridging in the insulation layers caused by gaps within the thermal element, (i.e. around windows and door openings). Reasonable provision shall also be made to ensure the extension is constructed to minimise unwanted air leakage through the new building fabric. MATERIALS AND WORKMANSHIP All works are to be carried out in a workmanlike manner. All materials and workmanship must comply with Regulation 7 of the Building Regulations, all relevant British Standards, European Standards, Agreement Certificates, Product Certification of Schemes (like Marked) etc. Products conforming to a European technical standard or harmonised European product should have a CE marking.</p>	
<p>Revisions List:</p>	
<p> HAD Unit 3 Salisbury House St Stephen's St Salford M3 6AX www.hadmanchester.co.uk 0161 327 2529</p>	
<p>Address: 221 Manchester Road Bury BL9 9HJ</p>	
Title: Proposed Plans	Drawn: WB
Client: Mr. M Pearse	Checked:
Date: 11-09-2019	Paper: A3
Drawing No: HCO-5020-04	Scale: 1:100
Revision:	



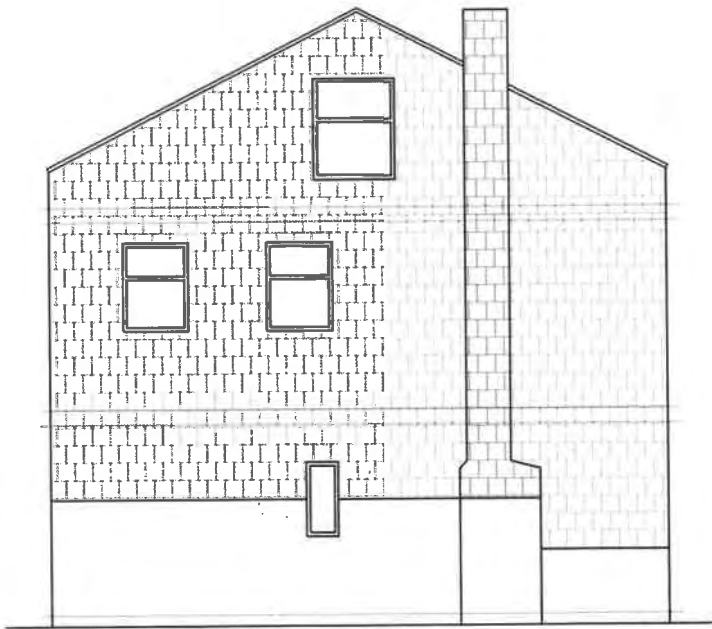
EXISTING FRONT ELEVATION
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EXISTING REAR ELEVATION
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EXISTING RIGHT SIDE ELEVATION
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EXISTING LEFT SIDE ELEVATION
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Address: 221 Manchester Road
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Title: Existing Elevations

Drawn: WB

Client: Mr. M Pearse

Checked:

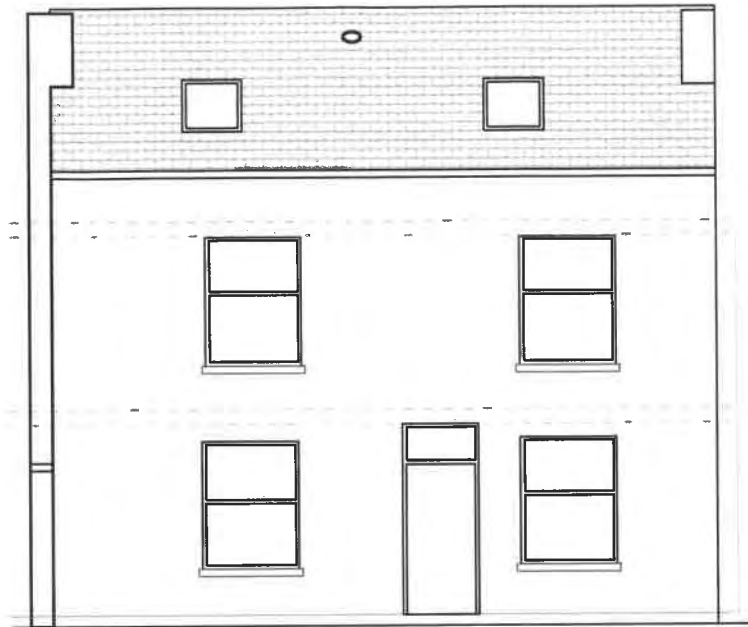
Date: 21-08-2019

Paper: A3

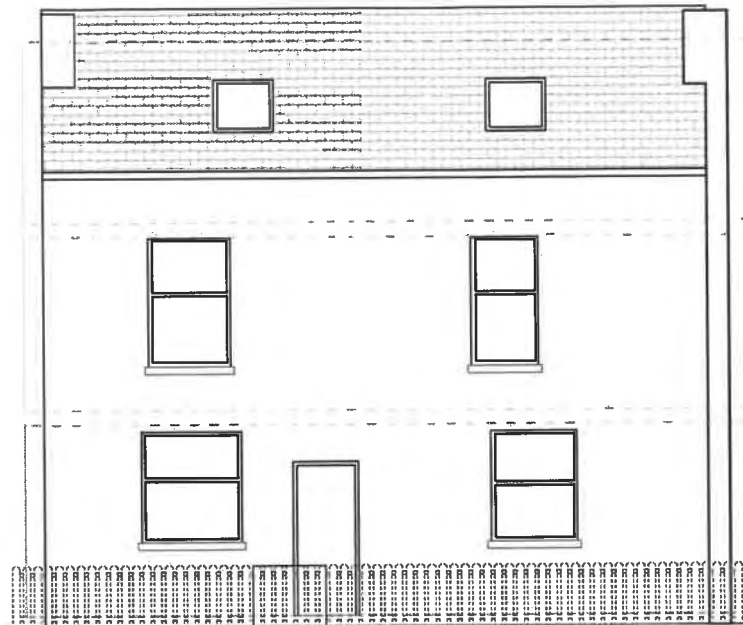
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Scale: 1:100

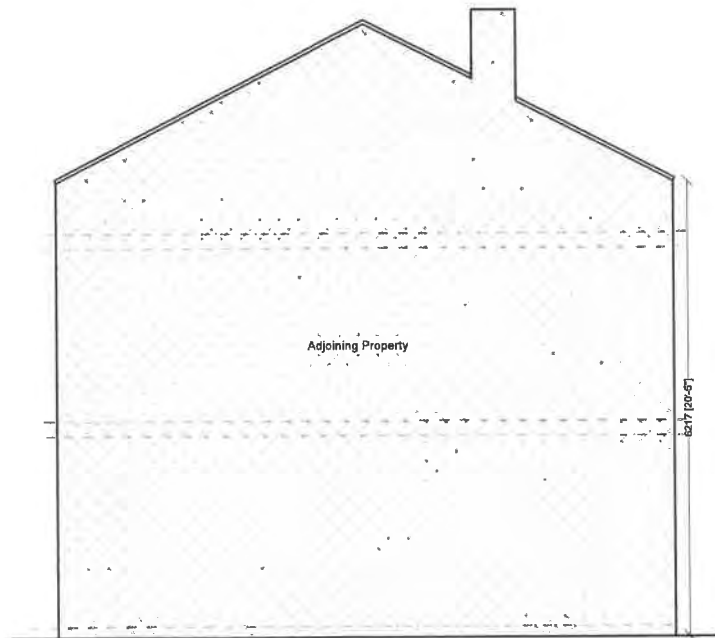
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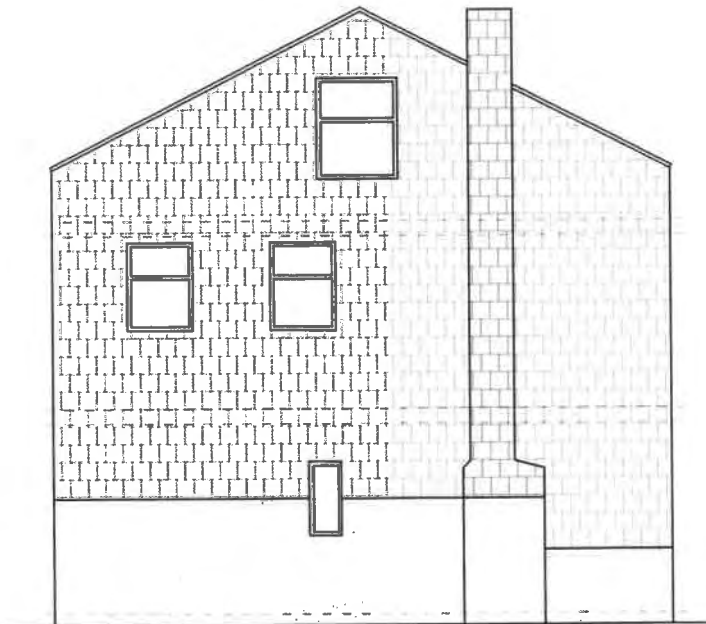
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Revisions List:

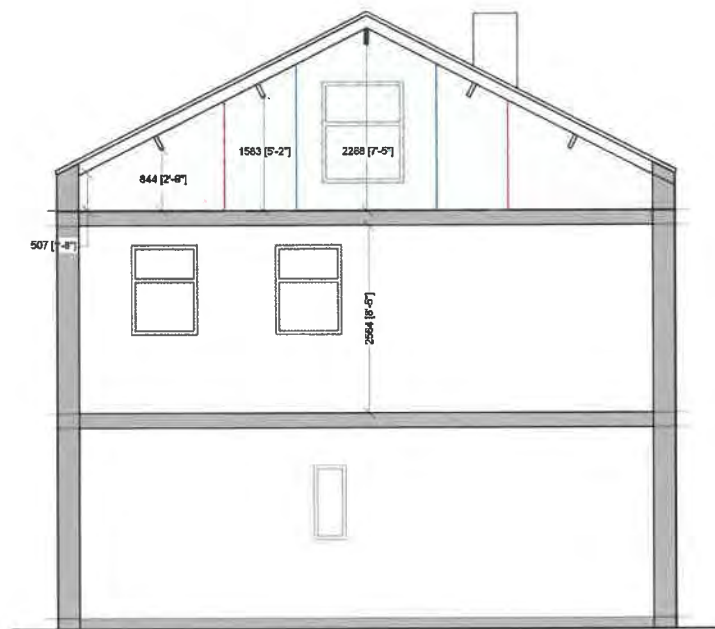
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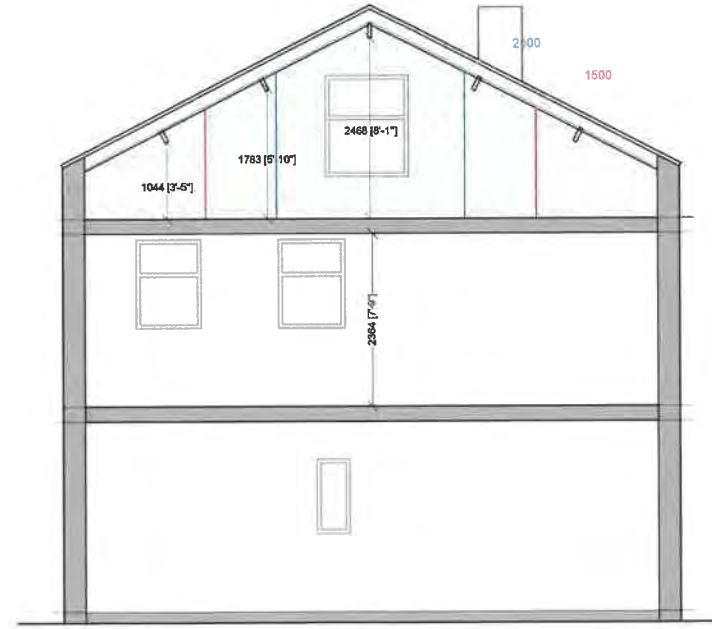
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Address: 221 Manchester Road
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Title: Proposed Elevations	Drawn: WB
Client: Mr. M Pearse	Checked:
Date: 11-09-2019	Paper: A3
Drawing No: HCO-5020-07	Scale: 1:100
Revision:	



EXISTING LEFT SIDE SECTION
1:100



PROPOSED LEFT SIDE SECTION
1:100

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Revisions List:



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Address: 221 Manchester Road
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Title: Existing & Proposed Section	Drawn: WB
Client: Mr. M Pearse	Checked:
Date: 05-09-2019	Paper: A3
Drawing No: HCO-5020-05	Scale: 1:100
Revision:	

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Title: Proposed Site Plan				Drawn: WB			
Client: Mr. M Pearse				Checked:			
Date: 11-09-2019				Paper: A3			
Drawing No: HCO-5020-07				Scale: 1:100			
Revision:	A						

Ward: Whitefield + Unsworth - Unsworth

Item 06

Applicant: Mr Adrian Goldstone

Location: 23 Hillsborough Drive, Bury, BL9 8LE

Proposal: Demolition of existing dwelling and erection of replacement dwelling

Application Ref: 64741/Full

Target Date: 09/12/2019

Recommendation: Approve with Conditions

Description

The site is a detached bungalow located on a corner plot on a residential estate. The property is the end one in a row of bungalows of the same design which have two front gables. The site has been previously extended single storey at the side with a study and additional garage. The front garden is hard surfaced and includes the drive. The garden extends to the side and rear and is fenced with planting to the outside of the fencing along the side boundary. The rear garden borders an electricity sub station and part of the rear boundary with 2 Leeds Close, a two storey detached house with a single storey extension at the rear. A small section also borders the corner of the rear garden to 4 Leeds Close. The neighbouring property to the side is No.25 a bungalow which is slightly lower. It has an integral garage at the front closest to the boundary and there is a gated path between the two properties. There is a window to the rear elevation of the garage section and the main house projects slightly deeper. Opposite at the front across the road are two storey detached houses, and to the side across the street 21 Hillsborough Drive is a detached bungalow.

As background to this application, prior to the existing works that have been carried out, consent had been granted for extensions to the bungalow. Works have commenced on the previous planning consent for extensions, removing the roof and internal walls. This application seeks to demolish the property and erect a new dwelling. The agent has provided a statement of explanation as to why the previous scheme was not carried out. This was for health and safety reasons as it became apparent that all ground floor walls would need to be removed at the same time. The extent of the proposed demolition means that the planning permission granted to extend could not be carried out and an application for demolition and rebuild is required.

This proposal would follow the footprint and height of the previous approval with some minor amendments to the window openings and with the addition of a rear dormer to an ensuite. The new dwelling would be a dormer bungalow with eaves to the same height as the existing bungalow and the new ridge 1.8m higher. The front roof slope would have two pitched roof dormers each side of a central dormer that would extend to two storey as the entrance and landing. Materials would be white render to the walls and grey roof tiles. The dormers to the front would be clad in weather treated timber or timber effect upvc.

Relevant Planning History

63370 - Raise ridge height of roof/roof extension with dormers at front to existing bungalow to form first floor; Single storey extensions at front and rear; Render to external elevations - AC 09/11/18

Publicity

12 notification letters were sent on 14/10/19 to addresses at 10-18, 21, 25 & 27 Hillsborough Drive and 1-4 Leeds Close. Responses have been received from 6 addresses at 1,3 & 4 Leeds Close and 12,16 & 21 Hillsborough Drive their comments in

summary are:-

- Previous application was approved too quickly
- Initial application disingenuous in its description of the nature of the development
- Works commenced without Building Regulations and HSE guidance breached.
- No statutory notice to demolish.
- Planning application should be rejected on the basis of a dishonest and devious approach and disregard to correct planning procedure
- Convenient the build must now become new build. Claiming 20% of the build costs via VAT.
- Size and design not in keeping with the rest of the area
- Proposed house will be significantly different to the other 16 bungalows either side
- Design as poorly considered as its predecessor
- Other properties have extended but in keeping
- Loss of privacy to 12 & 16 Hillsborough Drive
- Area now an unsafe mess
- Two shipping containers make the area appear like a working ship yard
- Not enough bungalows already
- If a large detached house is required purchase one elsewhere
- Environmental impact of demolishing a well kept dwelling to re build it again

The objectors have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No comments received.

Environmental Health - No objection subject to conditions.

Waste Management - No comments received.

Greater Manchester Ecology Unit - No objection subject to conditions if trees are to be removed.

United Utilities - No objection subject to conditions.

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

Unitary Development Plan and Policies

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

Issues and Analysis

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

Policies and principle - 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 proposed development would be a replacement dwelling which is located in the urban area and has existing infrastructure in place to facilitate the scheme. The area is residential in character and as such the development would not conflict with surrounding land uses.

The proposed development is therefore considered to be acceptable in principle and comply with the NPPF and UDP Policies H2/1 and H2/2.

Visual amenity and design - The section of the road the site is located on consists of 7 bungalows of the same type. The one to the corner at the opposite end of the row, No.35, has been extended to a two storey dwelling with a dormer to the side. The area has a mix of house types and styles. Whilst the proposal would see a dormer bungalow higher than the adjacent bungalow, seen in connection with the surrounding properties including the extended bungalow at the end of the row, it is not considered that it would appear as an intrusive feature in the street. Whilst the roof would be higher the property would still retain the appearance of a dormer bungalow. There would be a gap to the side boundary of 2.7m remaining which would provide sufficient distance from the new side wall to the footpath in order that the development would not be overbearing.

The extended bungalow at the end of the row changed the property to a two storey house. This was allowed on appeal. As such the row has already got variations in heights and styles.

The design and materials would see a change in the appearance from the previous property however the design is not an uncommon one for a domestic dwellings. The dormers to the front would be subservient to the central feature and the proposed frontage would appear balanced. The use of render is not out of character in the area and an increasingly popular domestic finish.

Highways

The development proposes 2 parking spaces located to the existing front drive. The parking arrangements would be as previously approved for the house extension permission. SPD11 - Parking Standards requires a maximum of a 3 spaces for a 3 bed dwelling (same for a 4 bed dwelling) and 2 spaces can be acceptable for high access areas. The site is located in a relatively high access area and with on street parking running the length of the fairly wide road. In this respect the 2 parking spaces proposed are considered sufficient. The Traffic Section have raised no concerns subject to a condition for the implementation of the parking arrangements.

Residential amenity

The building would project 1.7m deeper at the front adjacent to No.25 Hillsborough Drive which has a garage door at the front closest to the boundary. Therefore there would be no significant impact on the main front windows to this neighbouring property.

The site is positioned to the north east of the garden to No.25 and the rear elevation of the new dwelling would not extend any further back than the existing property does. The main rear elevation of No.25 is also slightly deeper. As such the increased roof height would not cause any significant loss of light or overshadowing to the rear garden of No.25.

There would be in excess of 7m to the rear boundary and the rear roof lights would be high level at 1.7m from floor to cill. The dormer would be to a non habitable room as an ensuite and the properties to the rear over 20m away.

No.21 Hillsborough Drive is located to the side across the street and a bungalow with the closest section 17m away and blank wall. The proposed side gable wall of the building would have a secondary bedroom window to the top. An advisory is added that this will not be treated as a main habitable room window should this neighbouring property look to extend.

The properties opposite to the front are over 20m away. The separation distances would comply with SPD6 aspect standards.

Given the increase in the size of the proposed dwelling over the original bungalow and its proximity to adjacent properties it is recommended that permitted development rights are removed in order to control any further extensions or alterations on the property.

There would then be no serious impact on the amenity of any adjacent neighbouring properties and the proposed development complies with UDP Policies H2/1, H2/2 and SPD6.

Ecology

The agent has confirmed, on plan, that the trees to the side boundary are to be retained therefore the conditions recommended by GMEU are not required.

Environmental Health

Contaminated Land - Recommend conditions for the submission of a Preliminary Risk Assessment, Site Investigation, Remediation Strategy and Final Verification Report.

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, the Section recommend a condition for the provision of an EV charging point.

However, as a development for a single dwelling, and a replacement at that, it is considered more reasonable to advise this as an informative to the applicant.

Response to neighbour objections -

The issues regarding design, impact on the street scene and privacy are addressed in the above report.

The previous application was determined after the statutory time period of 21 days for neighbour comments to be made had passed and before the expiry date.

A Building Regulations application was made but then withdrawn. An application for a new dwelling will be submitted if consent is granted.

With regard to a demolition notice. This application seeks permission to demolish the existing dwelling and for its replacement. The agent has provided a statement of explanation with regard to the works not being carried out as an extension.

The containers have been investigated by the Enforcement Team and are allowed to be temporarily sited under permitted development rights in connection with works being, or to be, carried out.

There is no planning policy that restricts the enlargement of a bungalow with either increased roof space or to a two storey dwelling. Should further schemes come forward for alterations/extensions in the area they would be dealt with on their own merits. Why the applicant would choose to buy a property and propose an extension, or a rebuild, is their concern and not relevant to the determination of the application.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in 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 ZT18-196-00, ZT18-196-01, ZT18-196-02 Rev A, ZT18-196-04 Rev B, ZT18-196-05 Rev D, ZT18-196-11, ZT18-196-12 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural

environment.

5. The car parking arrangements indicated on approved plan reference ZT18-196-12, incorporating the retention of the existing dropped crossing, provision of 6.0m minimum driveways and fencing to prohibit the use of the existing informal parking area adjacent to Leeds Close and all associated footway remedial works abutting the site required as a result of the construction of the proposed development and statutory undertakers connections to the dwelling, shall be implemented to the satisfaction of the Local Planning Authority prior to the dwelling and driveways hereby approved being occupied/brought into use.

Reason. To allow adequate space to maintain vehicles clear of the highway in the interests of highway safety and to maintain the integrity of the adopted highway pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

- Hours of operation and number of vehicle movements;
- Storage on site of demolition/construction materials;
- Site hoarding position, if proposed;
- Measures to ensure that all mud and other loose materials are not spread onto the adopted highway by the demolition works/ground works operations or 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 and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of the both periods. The areas identified shall not be used for any other purposes other than the 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 demolition and 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.

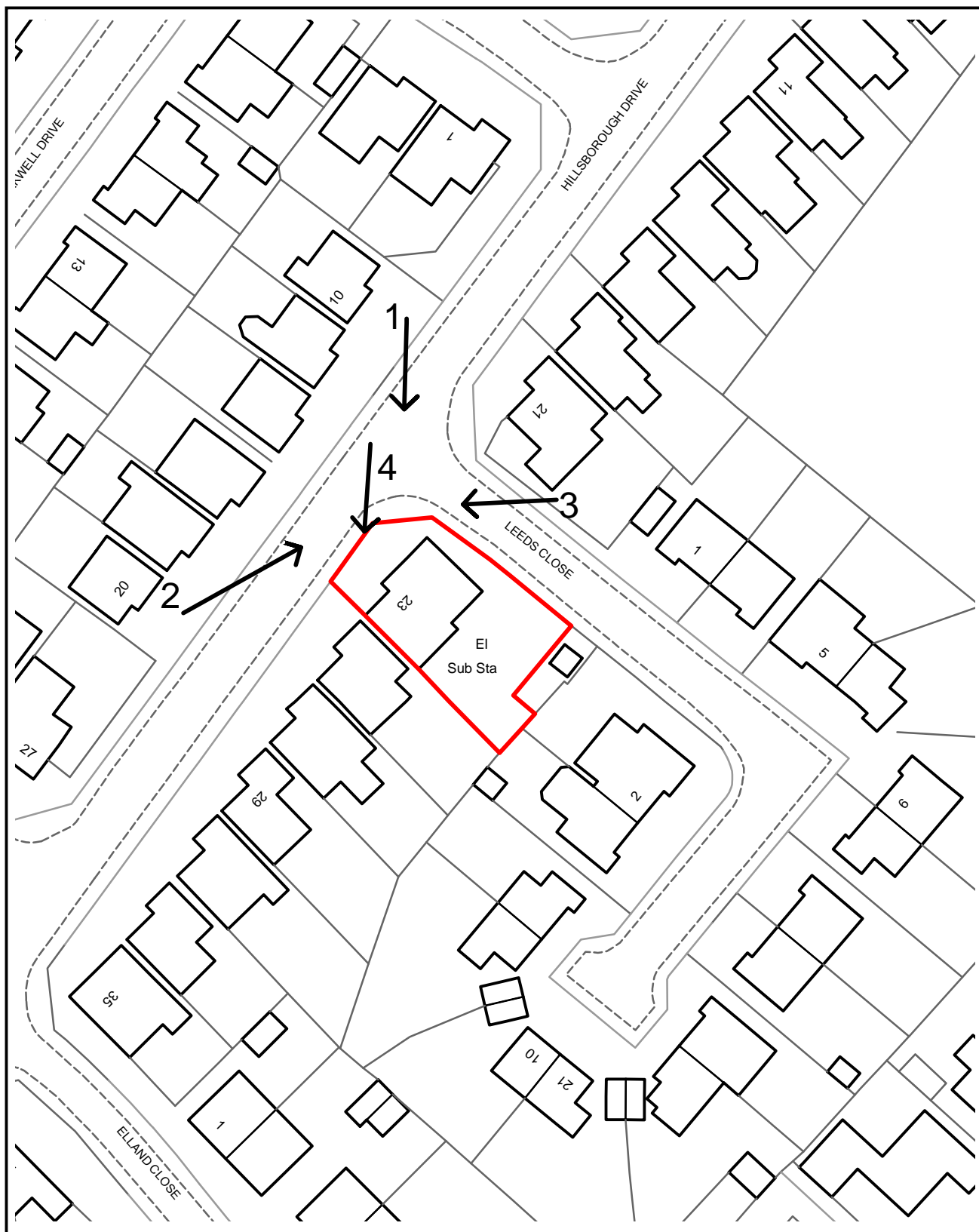
7. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of 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.

8. Foul and surface water shall be drained on separate systems.
Reason. To ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
9. 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 **Jane Langan** on **0161 253 5316**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64741

**ADDRESS: 23 Hillsborough Drive
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64741

Photo 1



Photo 2



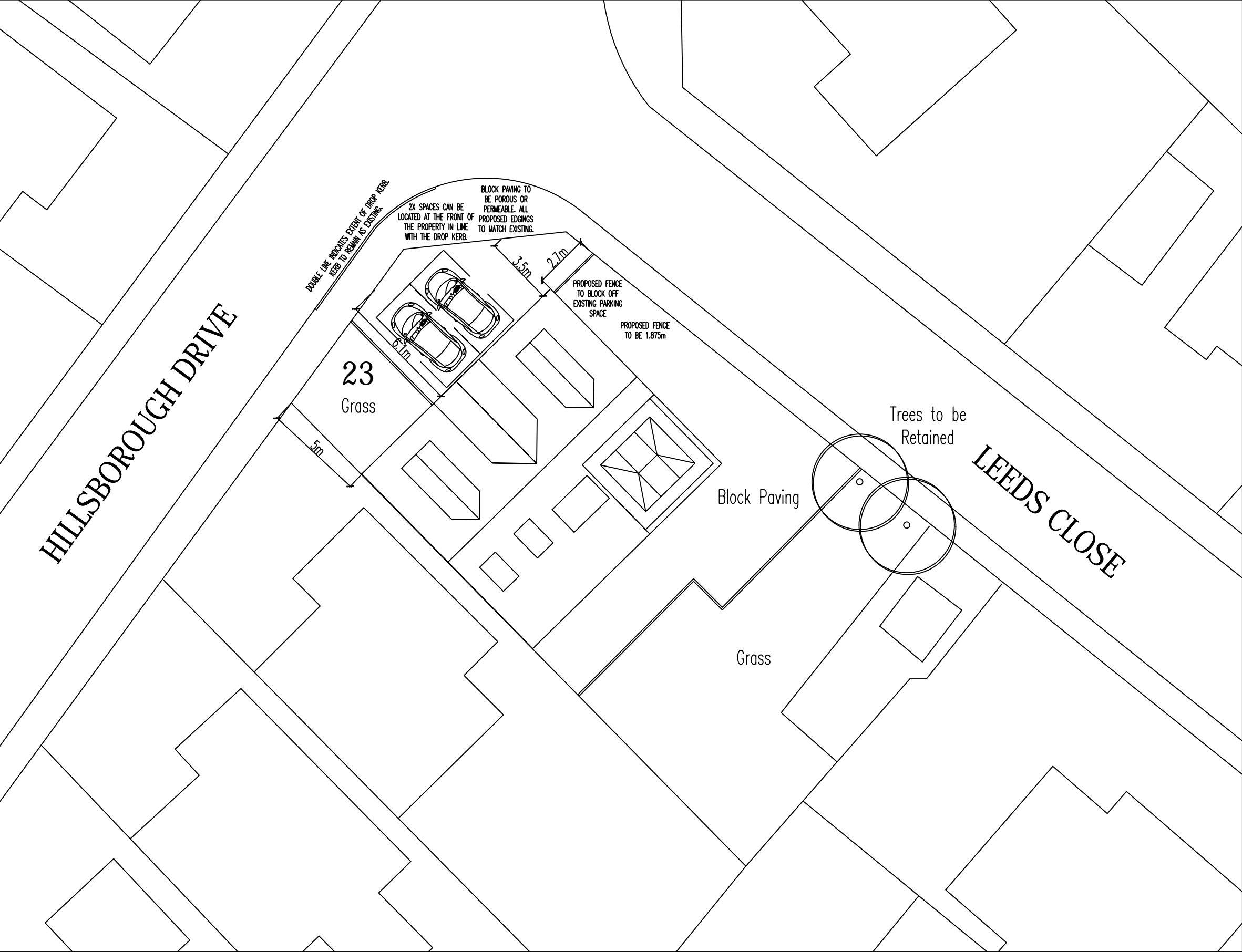
64741

Photo 3



Photo 4





01 Proposed Parking Arrangements Site Plan
Scale 1:200

Notes

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All levels to be checked on site

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All component sizes and references to be checked before ordering



SURVEY ORIENTATED TO MAGNETIC NORTH

Rev	Description	Date	By	Chk

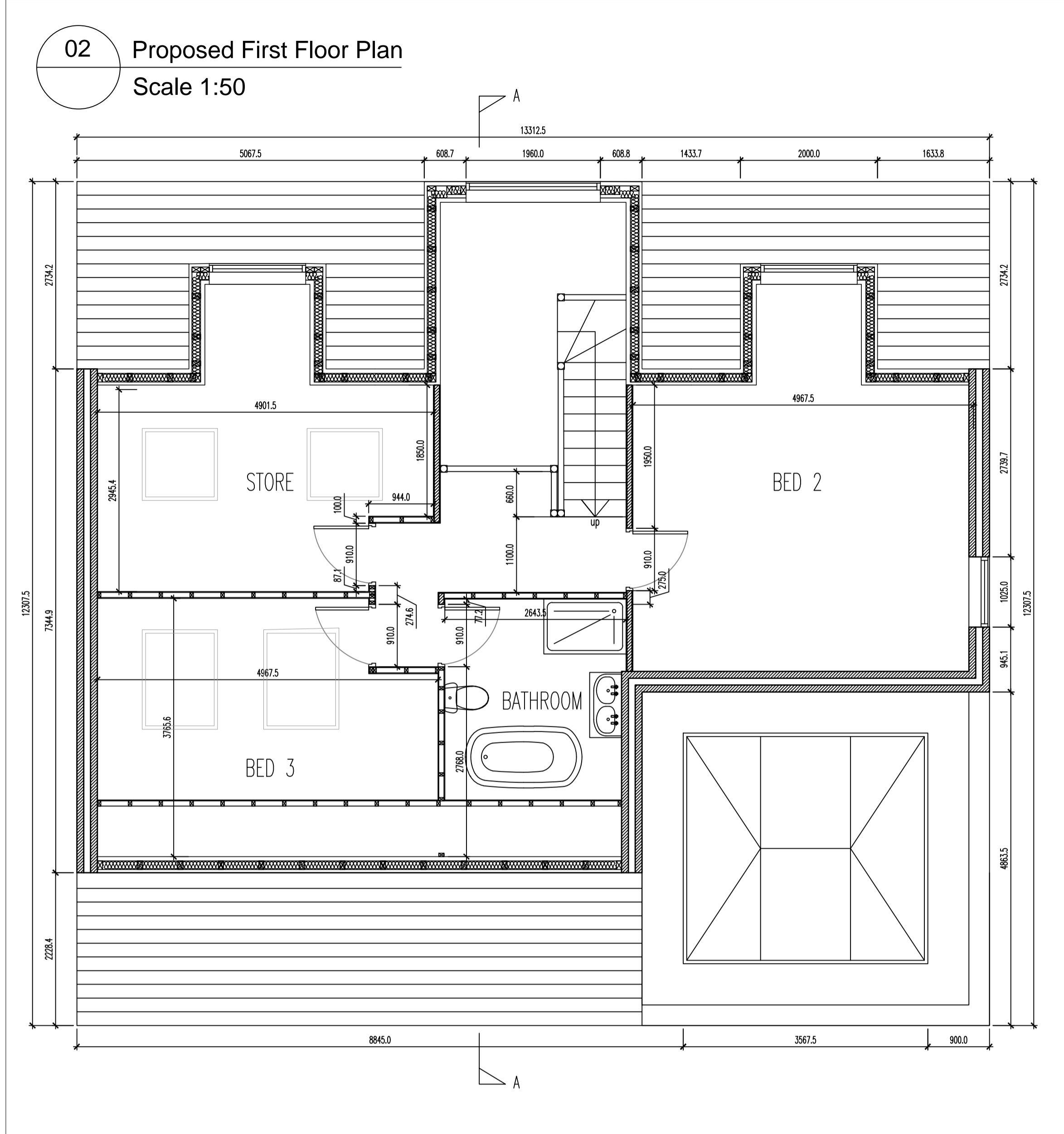
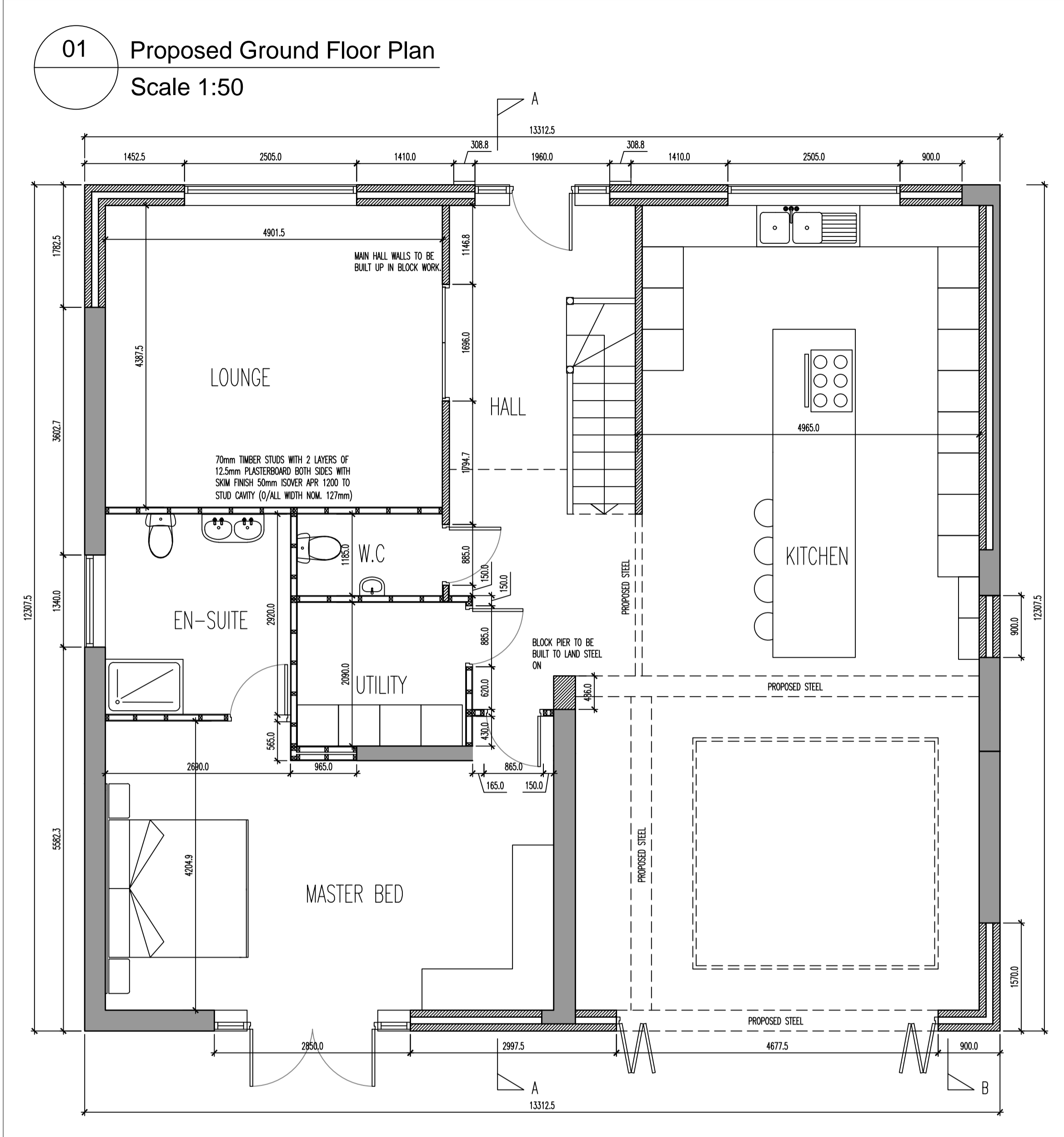
Status		Purpose for Issue	
Planning	<input type="checkbox"/>	Tender	<input type="checkbox"/>
Construction	<input checked="" type="checkbox"/>	As Built	<input type="checkbox"/>
		PLANNING	

Client
Mr & Mrs Goldstone

Contract
Proposed Extension and Dormer Works

Drawing
Proposed Parking Arrangements Site Plan

Drawing No.	ZT18-196-12	Revision	/
Scales	1:500 @ A3	Date	Nov '19
Drawn	ZTT	Checked	



EXTERNAL WALL
THERE WILL BE MINIMUM OF 2 COURSES OF BRICK TO UPC LEVEL. THE REST OF THE EXTERNAL FACADE IS TO BE WHITE RENDER.

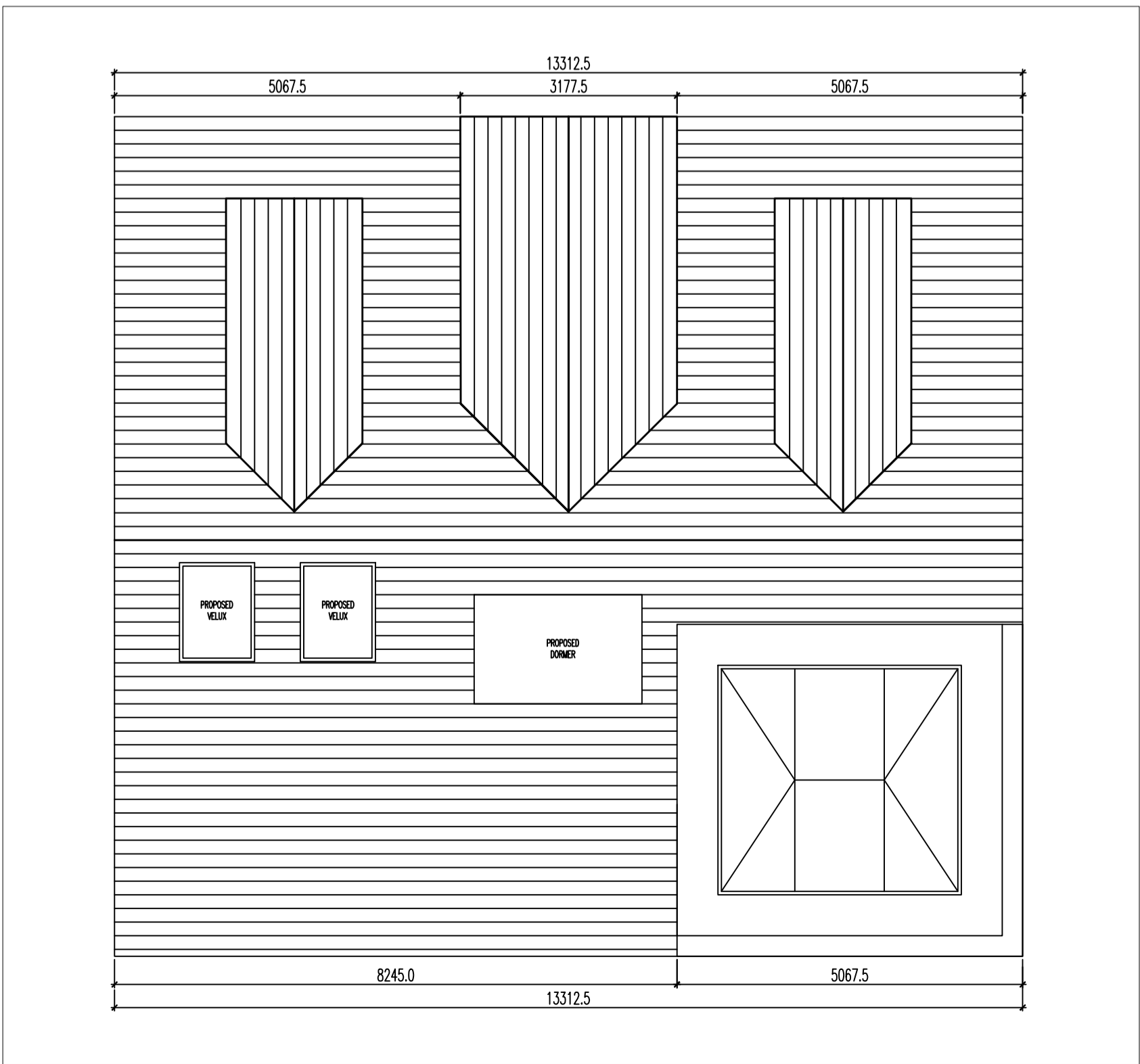
ROOF TILE
THE PROPOSED ROOF TILE SHALL BE GREY TO MATCH EXISTING – DUE TO THE NEW ROOF DESIGN ALL PROPOSED WILL BE NEW.

DORMERS
THE PROPOSED DORMERS WILL BE CLAD IN A WEATHER TREATED TIMBER OR TIMBER EFFECT UPVC.

WINDOWS AND DOORS
ALL EXISTING WINDOWS ARE TO BE REPLACED WITH GREY FRAMES – ALL NEW WINDOWS TO HAVE GREY FRAMES.

RAIN WATER UPVC
ALL RAIN WATER UPVC WILL BE BLACK.

UPVC FACIA
PROPOSED UPVC FACIA TO BE ASH BLACK



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All component sizes and references to be checked before ordering

Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

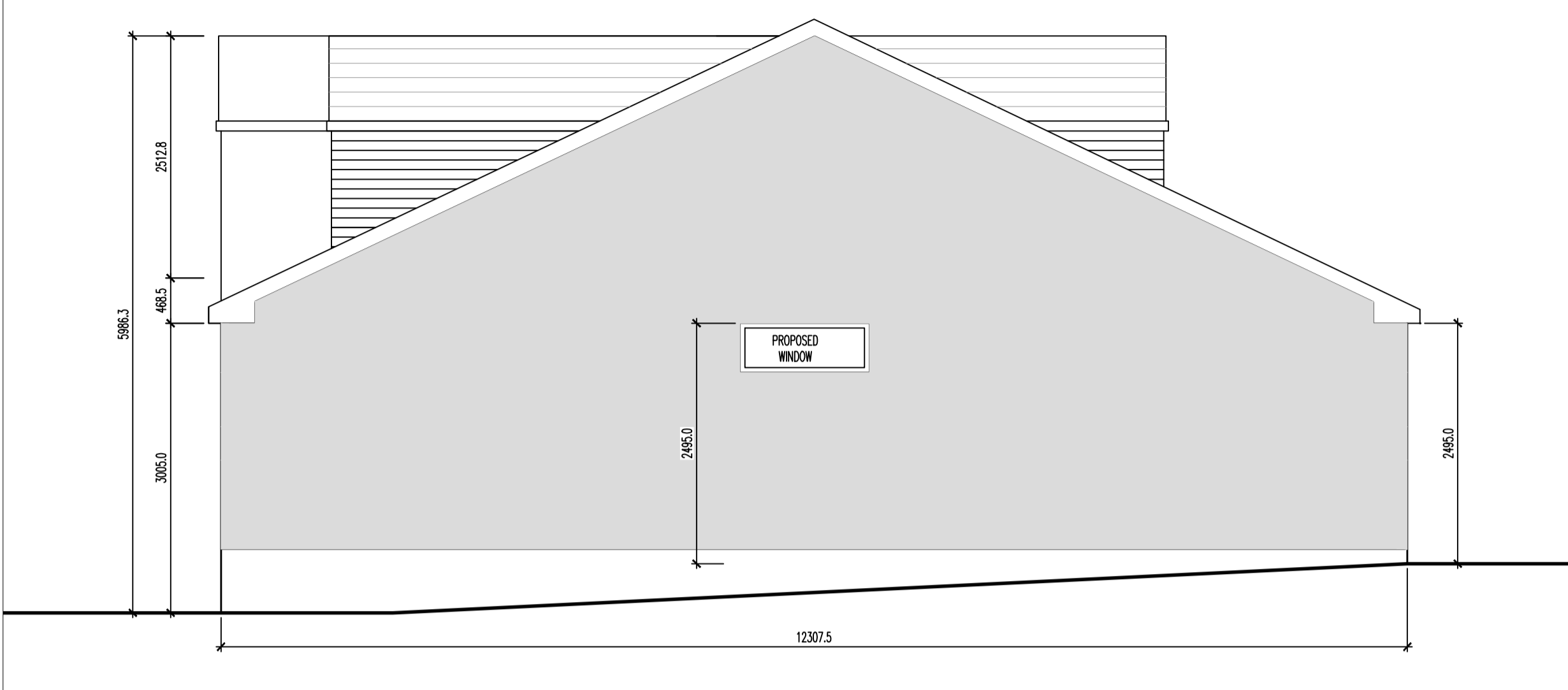
All relevant boundary positions are to be checked prior to proceeding

B	Dormer added to Bathroom	02.10.19	ZT		
A	Dormer size reduced	02/11/18	ZT		
Rev	Description	Date	By	Chk	
Status Purpose for Issue					
Survey	<input type="checkbox"/> Tender <input type="checkbox"/>				
Construction	<input checked="" type="checkbox"/> As Built <input type="checkbox"/>				
Client					
Mr & Mrs Goldstone					
Contract					
Proposed Bungalow Refurbishment					
Drawing					
Proposed Floor Plans					
Drawing No. ZT18-196-04 Revision B					
Scales 1:50		Date Aug '18			
Drawn ZTT		Checked			

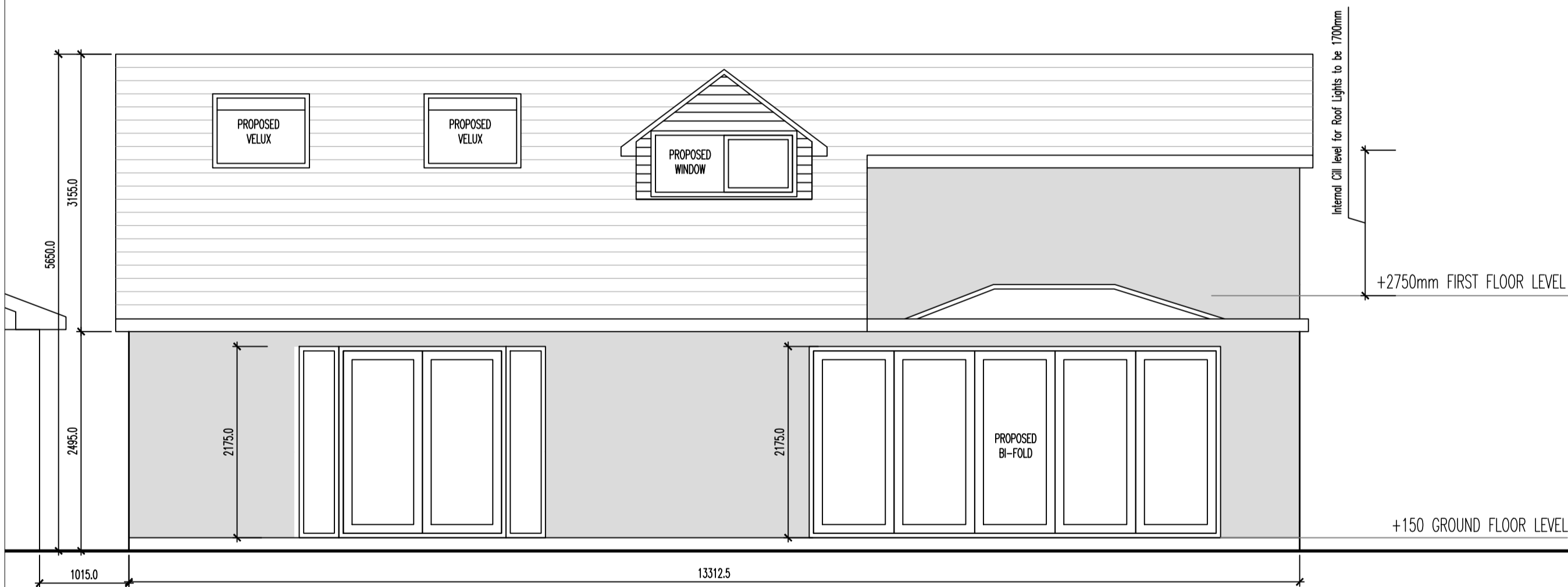
01 Proposed Front Elevation
Scale 1:50



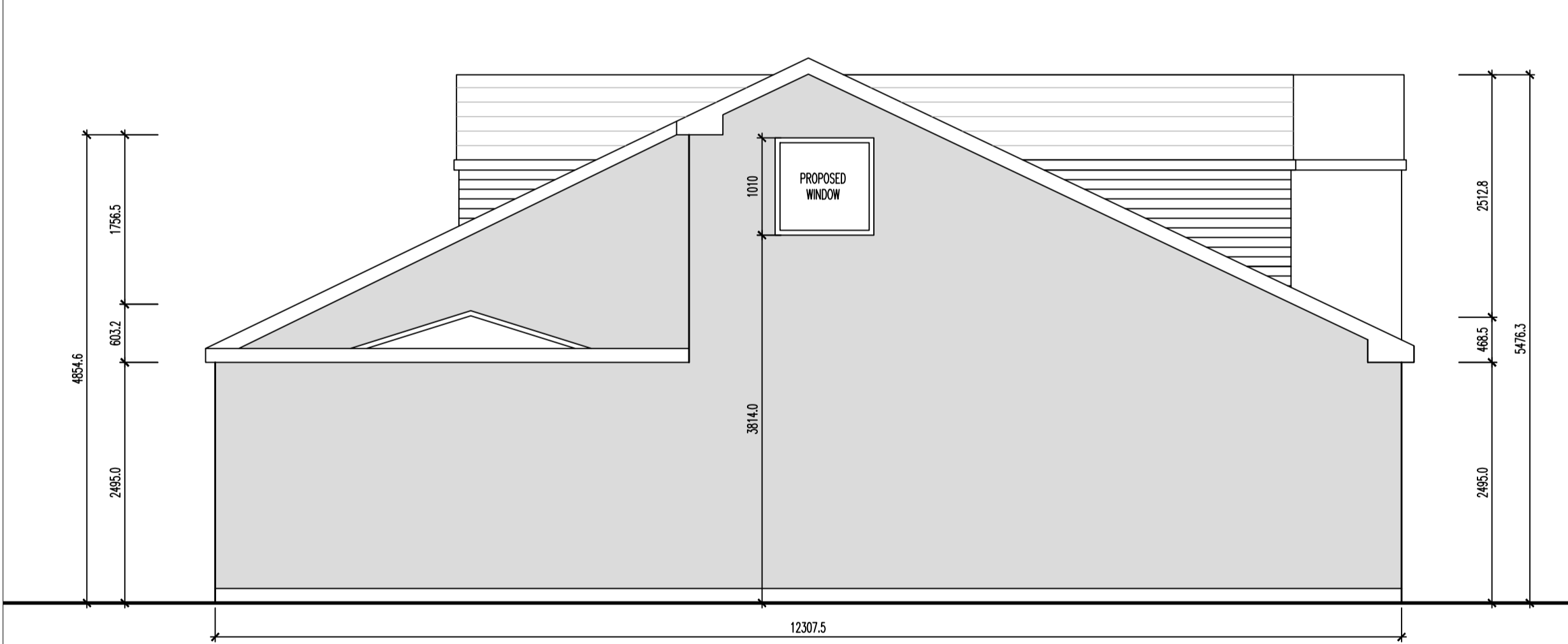
02 Proposed Side Elavation
Scale 1:50



03 Proposed Rear Elevation
Scale 1:50



04 Proposed Side Elevation
Scale 1:50



EXTERNAL WALL
THERE WILL BE MINIMUM OF 2 COURSES OF BRICK TO UPC LEVEL. THE REST OF THE EXTERNAL FACADE IS TO BE WHITE RENDER.

ROOF TILE
THE PROPOSED ROOF TILE SHALL BE GREY TO MATCH EXISTING -- DUE TO THE NEW ROOF DESIGN ALL PROPOSED WILL BE NEW.

DORMERS
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WINDOWS AND DOORS
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RAIN WATER UPVC
ALL RAIN WATER UPVC WILL BE BLACK.

UPVC FACIA
PROPOSED UPVC FACIA TO BE ASH BLACK



Proposed Cedar Cladding



Proposed White Render



Proposed Grey Frames

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All component sizes and references to be checked before ordering

Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

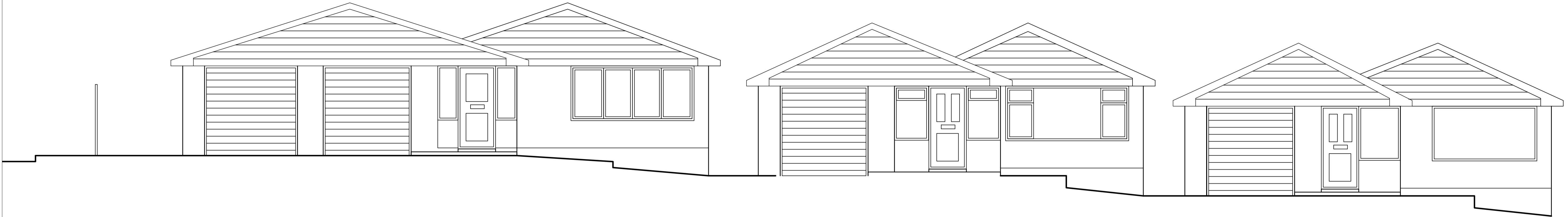
All relevant boundary positions are to be checked prior to proceeding

D	Dormer amended to Bathroom	28.10.19	ZT	
C	Dormer added to Bathroom	02.10.19	ZT	
B	Reduced size of dormers	02.11.18	ZT	
A	Roof light height added	25.10.18	ZT	
Rev	Description	Date	By	Chk
Status		Purpose for Issue		
Survey	<input type="checkbox"/> Tender	<input type="checkbox"/>		
Construction	<input checked="" type="checkbox"/> As Built	<input type="checkbox"/>		
Client				
Mr & MrsGoldstone				
Contract				
Proposed Bungalow Refurbishment				
Drawing				
Proposed Elevations				
Drawing No. ZT18-196-05		Revision	D	
Scales 1:50		Date	Aug '18	
Drawn ZTT		Checked		

01

Existing Street Scene

Scale 1:50



02

Proposed Street Scene

Scale 1:50



EXTERNAL WALL
THERE WILL BE MINIMUM OF 2 COURSES OF BRICK TO UPC LEVEL. THE REST OF THE EXTERNAL FACADE IS TO BE WHITE RENDER.

ROOF TILE
THE PROPOSED ROOF TILE SHALL BE GREY TO MATCH EXISTING – DUE TO THE NEW ROOF DESIGN ALL PROPOSED WILL BE NEW.

DORMERS
THE PROPOSED DORMERS WILL BE CLAD IN A WEATHER TREATED TIMBER OR TIMBER EFFECT UPVC.

WINDOWS AND DOORS
ALL EXISTING WINDOWS ARE TO BE REPLACED WITH GREY FRAMES – ALL NEW WINDOWS TO HAVE GREY FRAMES.

RAIN WATER UPVC
ALL RAIN WATER UPVC WILL BE BLACK.

UPVC FACIA
PROPOSED UPVC FACIA TO BE ASH BLACK



Proposed Cedar Cladding



Proposed White Render



Proposed Grey Frames

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Rev	Description	Date	By	Chk
Status		Purpose for Issue		
Survey	<input type="checkbox"/>	Tender	<input type="checkbox"/>	
Construction	<input checked="" type="checkbox"/>	As Built	<input type="checkbox"/>	
Client				
Mr & MrsGoldstone				
Contract				
Proposed Bungalow Refurbishment				
Drawing				
Existing and Proposed Street Scene				
Drawing No. ZT18-196-11		Revision /		
Scales	1:50	Date	Oct '19	
Drawn	ZTT	Checked		

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 07

Applicant: Mr & Mrs Lay

Location: Land adjacent to 7 Salmsbury Hall Close, Ramsbottom, Bury, BL0 9FG

Proposal: Erection of 1 no. dwelling and detached garage

Application Ref: 64778/Full

Target Date: 05/12/2019

Recommendation: Approve with Conditions

Description

The application site is located at the end of a cul-de-sac, which is part of a residential estate. The site is open land and contains trees and shrubs. The site slopes down from the access road to the rear of the site and there is a difference in levels of 2.6 metres from the access (Salmesbury Hall Close) to the bottom of the site.

There are two storey residential properties to the north, east and south east. There are playing fields to the south, with residential properties beyond and there a mix of two and three storey dwellings to the west of the site.

The proposed development involves the erection of a detached dwelling and detached garage on land to the side of 7 Salmesbury Hall Close. The proposed dwelling would be two storeys in height and would be constructed from stone and render, with a tile roof. The proposed garage would be constructed from render with a tile roof. The site would be levelled. The proposed development would be accessed from Salmesbury Hall Close and parking would be retained for the existing dwelling.

Relevant Planning History

02219/E - Two storey dwelling and detached garage at 7 Salmesbury Hall Close, Ramsbottom. Enquiry completed - 11 December 2018

64501 - Erection of 1 no. dwelling and detached garage at 7 Salmesbury Hall Close, Ramsbottom. Withdrawn - 24 September 2019

Publicity

The neighbouring properties were contacted by means of a letter on 16 October 2019.

3 letters have been received from the occupiers of 44, 46, 51 Lansdowne Close, which have raised the following issues:

- The land is known to be contaminated as it is adjacent to a landfill site, where the cap on landfill has been breached. Has an environmental assessment been completed for the site?
- There is a large deciduous tree close to the boundary on neighbouring land. I believe bats live in the tree. Has a tree survey been completed?
- The site and surrounding area regularly suffers from flooding from surface water run off. Our property has a soakaway in the garden. There is no evidence of a soakaway on the applicant's plans.
- Increasing the land levels would increase the land above the street of Lansdowne Road and would create a substantial flood risk to the existing properties.
- There are concerns about the extent of watercourse disruption and the need to pile the foundations. The watercourse has already been disrupted by the removal of trees from the site.

- The site will impact upon biodiversity contrary to the answer on the application form.
- The plans are misleading and factually inaccurate. Officers should visit the site. The neighbouring properties are not represented in full.
- Whilst the issue of boundary encroachment is not appropriate cause for objection, the plans are misleading.
- The roof is not in keeping with the surrounding properties. The roof cavity is around 13 feet high, which suggests a three storey 6 bedroom house in due course.
- The proposed property does not line up with the properties on Salmesbury Hall Close or Lansdowne Close.
- Two windows would look directly into our orangery and patio at close proximity.
- The proposed parking is misleading and would suggest space for in excess of 3 vehicles when in fact a garage and two parking spaces would be a push.
- Agree with the comments in the ecology report that the development should mitigate for the loss of trees, shrubs and nesting bird habitat.
- Why is the proposed house at an angle so our house and garden will be overlooked?
- The raised levels would make the property visible at street level and it would be above Lansdowne Close.

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 construction traffic management plan and parking and driveway alterations.

Drainage Section - No objections, subject to the inclusion of a condition relating to drainage.

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.

Waste Management - No response.

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

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

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

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
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considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

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

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

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

The site is located within the urban boundary and there are residential properties to three boundaries and playing fields to the west. The proposed development would not conflict with the surrounding land uses and would be located in a sustainable location with regard to public transport and services. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout - The proposed dwelling would be located in the side garden of No. 7 Salmesbury Hall Close and would be two storeys in height.

The application site slopes and the proposed sections confirm that the ground level of the site would be raised. This would result in the finished floor level of the proposed dwelling being 1.2 metres lower than the existing paved access on Salmesbury Hall Close and the finished floor level of the proposed garage would be 0.9 metres lower than the paved access. The proposed dwelling would be 1 metre higher than No. 7 Salmesbury Hall Close and 0.9 metres lower than No. 46 Lansdowne Close. As such, the proposed development would be appropriate in terms of height.

The proposed dwelling would be two storey and would be modern in appearance with large expanses of glazing. The proposed dwelling would be constructed from stone and render, with a tile roof and aluminium windows. As there are a variety of styles of properties, including two and three storey dwellings, with a variety of materials (red brick, buff brick and stone) within the immediate vicinity, the proposed development would not be unduly prominent. The use of materials, pike detailing and bay windows would add visual interest to the elevations. Therefore, the proposed development would be appropriate in terms of design, scale and massing and would not be a prominent feature in the streetscene.

The proposed dwelling would have a side and rear garden and the level of private amenity space would be acceptable. A bin store would be located to the north of the proposed garage and would be constructed from timber fencing. The proposed bin store would be acceptable in terms of appearance and would need to accommodate 4 bins. This would be secured by condition. A 2 metre high timber panel fence would be erected on the perimeter

of the garden, which would match the existing fencing in the area. Therefore, the proposed development would be in accordance with Policies H2/1, H2/2, EN1/2, EN2/1 and EN2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties.

There would be 11.4 metres between the gable of the proposed dwelling and the gable elevation of the dwelling on Lansdowne Close. There are no habitable room windows in the gable of the existing dwelling on Lansdowne Close and as such, this distance would be acceptable.

There would be 7.5 metres between the gable of the proposed dwelling and the conservatory on the side elevation of the dwelling on Lansdowne Close. There are windows to all three elevations of the conservatory, which is itself an extension and it is considered that the main aspects would be to the front and rear of the conservatory and the windows on the side elevation would be secondary windows. SPD6 makes it clear that conservatories are not classed as habitable rooms. The proposed dwelling would be set into the site and would obscure the conservatory for 2 metres. Given the distance between the proposed dwelling and the conservatory, the siting of the proposed dwelling and the main aspect, it is considered that the proposed dwelling would not have a significant adverse impact upon the amenity of the occupiers of No. 46 Lansdowne Close.

There would be 7 metres from the proposed lounge to the rear boundary and 11.2 metres from the proposed dining room to the rear boundary. These distances would comply with the 7 metre aspect standard in SPD6.

There would be 16 metres from the front elevation of the proposed dwelling to the boundary, which would be acceptable.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be policy compliant with aspects in SPD6.

Drainage - The objectors have raised the issue of existing drainage problems in the locality. The proposed site layout and section plan confirms that the surface water drainage would connect into a soakaway and the foul drainage would connect into the existing sewer via a pump. United Utilities and the Drainage Section have no objections to the proposal, subject to the inclusion of conditions. Therefore, the proposed development would be in accordance with Policy EN7/5 of the Bury Unitary Development Plan.

Highways issues - The proposed dwelling would be accessed from Salmesbury Hall Close and would share the existing access with the existing dwelling. The proposed access would ramp down to the proposed dwelling and would include a turning area. The occupiers of the existing dwelling would be able to utilise the proposed drive as turning facilities. The Traffic Section has no objections, subject to the inclusion of conditions relating to a construction traffic management plan and parking and turning facilities. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards for a 4 bed dwelling is 3 spaces.

The proposed development would provide 3 spaces for the proposed dwelling and 2 spaces would be retained for the existing dwelling. The proposed development would meet the maximum parking standards and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The issues of design, scale, height, layout, loss of privacy, drainage, parking, ecology

and biodiversity have been addressed in the report above.

- The Contaminated Land section have no objections, subject to the inclusion of conditions requiring a preliminary risk assessment in relation to contaminated land to be carried out.
- The proposed section plan includes a soakaway and the foul drainage would be connected into the existing foul drainage using a pump. United Utilities and the Drainage Section have no objections to the proposal, subject to the inclusion of conditions.
- The case officer has visited the site and there are no discrepancies on the plans.
- The issue of encroachment and land ownership are not material planning considerations and cannot be taken into consideration.
- There is a tree close to the boundary of the site. However, the proposed dwelling would not affect the tree, given the size of the canopy. A condition requiring tree protection measures to be in place would secure the retention of the tree.
- The type of foundations proposed would be a matter for Building Regulations and would not be relevant to planning.

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 R-0503-SLP B, R-0503-02 B, R-0503-03 B, R-0503-05 B, R-0503-06 B, R-0503-07 A, TRI-2387-01 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to 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. 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.

7. A landscaping scheme 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 mitigation for the loss of trees, shrubs and nesting bird habitat. 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.

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. Foul and surface water shall be drained on separate systems.
Reason. To secure proper drainage, promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
10. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
 - Hours of operation and number of vehicle movements;
 - Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
 - Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

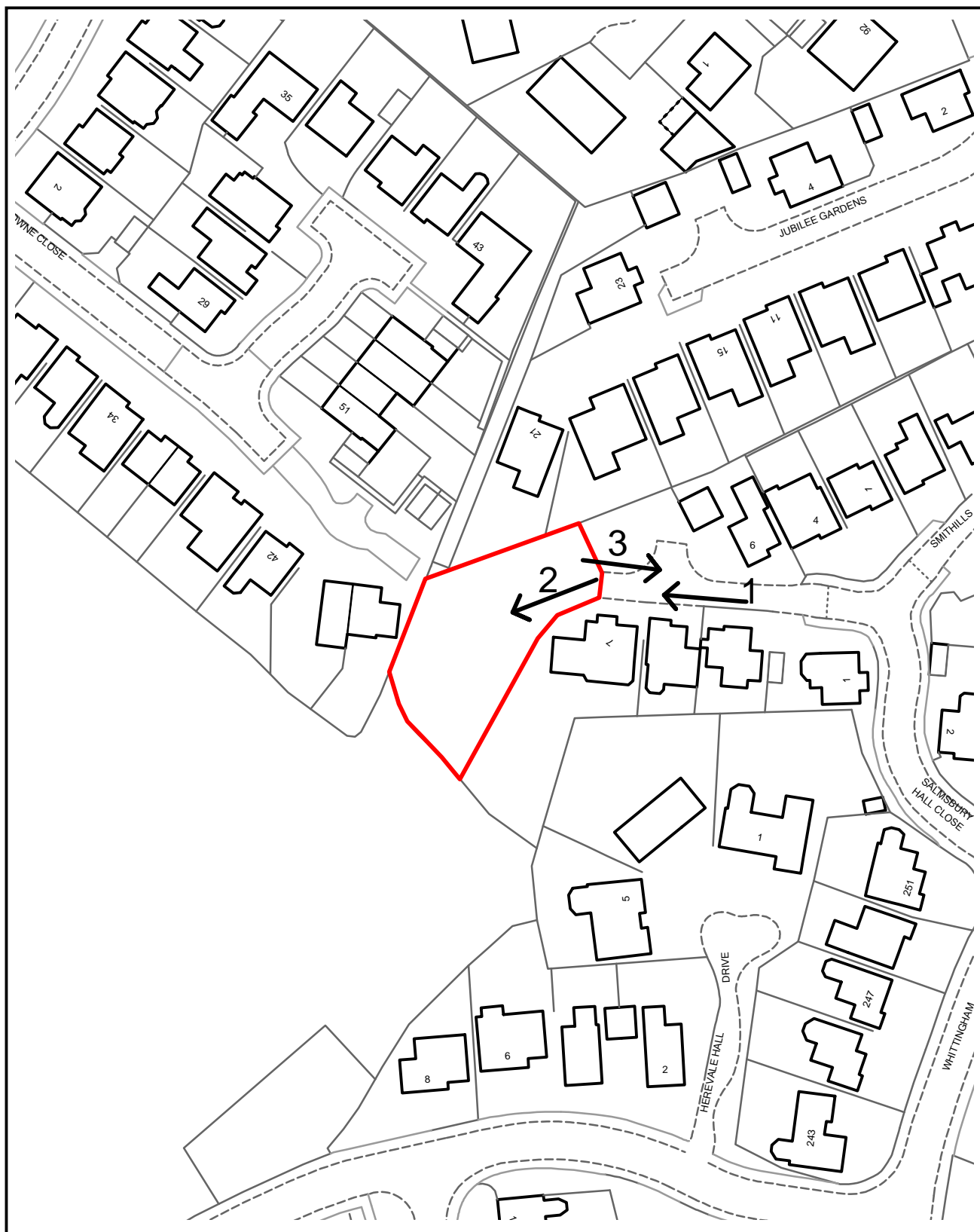
The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the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

11. The proposed parking and driveway alterations indicated on approved plan reference R_0503-03, incorporating the retention/provision of sufficient hardstandings to accommodate two vehicles within the curtilage of each dwelling, proposed new 'access road' and turning facilities in a permeable/porous block paved material or incorporating other measures to prevent the discharge of surface water onto the adopted highway and all associated highway remedial works required as a result of the construction of the proposed development and statutory undertakers/drainage connections to the new dwelling, shall be implemented prior to the dwelling hereby approved being first occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
12. 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64778

ADDRESS: Land adj 7 Salmesbury Hall Close
Ramsbottom

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64778

Photo 1



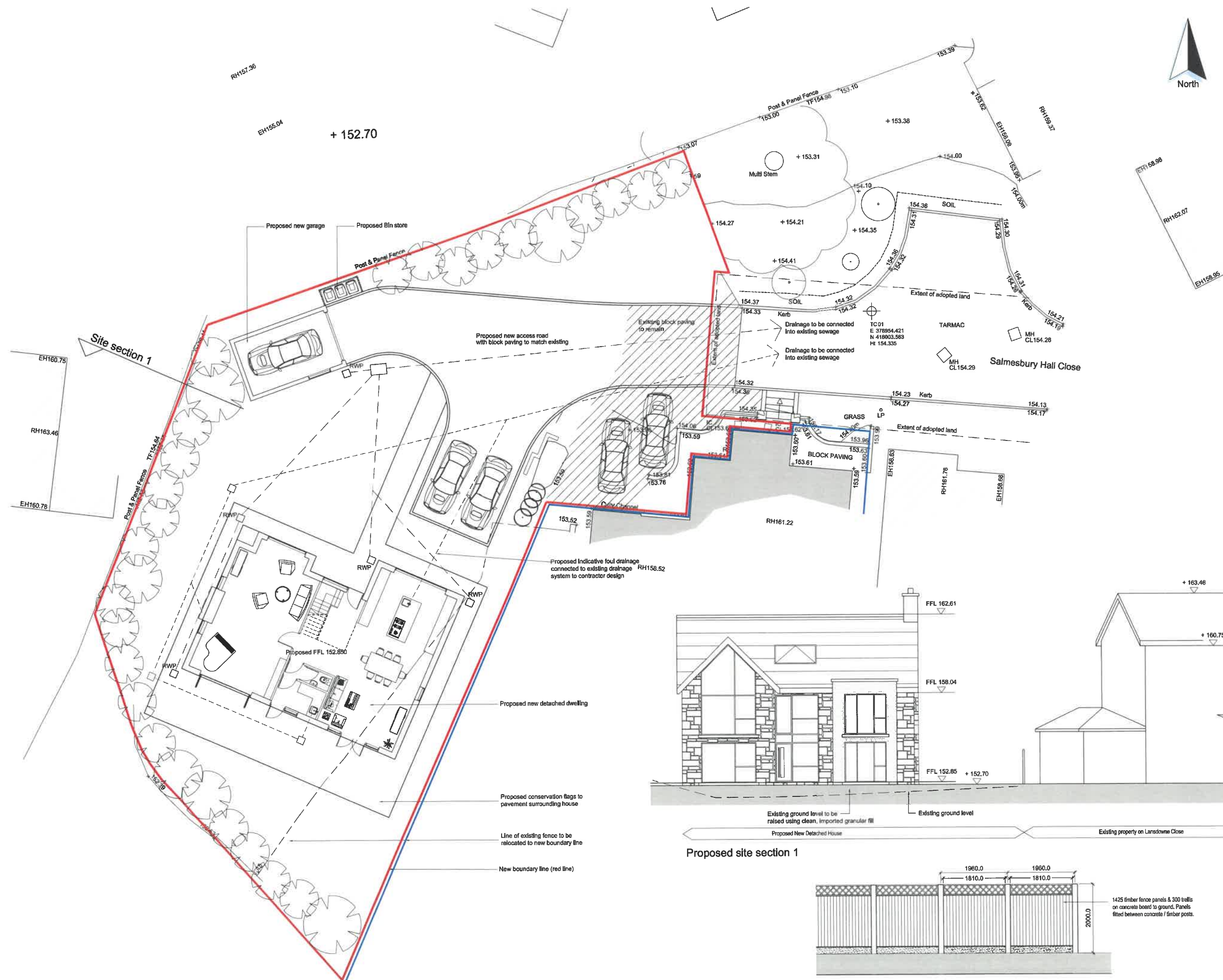
Photo 2



64778

Photo 3





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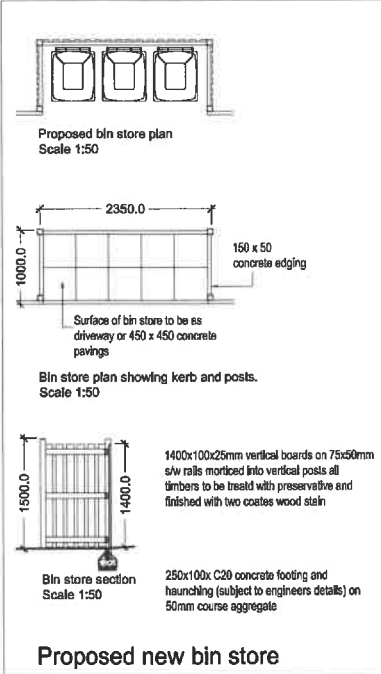
All materials and workmanship to be in accordance with the current British Standards and codes of practice.

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As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (because of the duration of the works on site) and the client may also need to appoint a Principal Designer because there may be more than one contractor working on site.

The Principal Designer will be able to coordinate the pre-construction information and also ensure that all duty holders under CDM comply with their relevant duties.

The building owner is to serve a Party Wall Act Notice as applicable to adjoining property owners as outlined in The Party Wall Act 1996. The Building Contactor is to verify the thickness of the party walls prior to commencement of the proposed works.

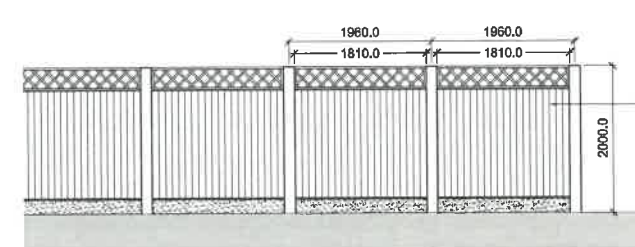


Proposed new bin store

B	Drawing updated	25.09.2019
A	Drawing updated for planning issue	19.07.2019
REV	DESCRIPTION	CHECK DATE
CLIENT		
Mr & Mrs Lay		
PROJECT		
New Detached House on Land Adjacent 7 Salsbury Hall Close, Ramsbottom, BL0 9FG		
DRAWING		
Proposed Site Plan		
SCALE	DATE	DRAWN
1:100 @ A1	05_2019	PB
DRAWING NO.	CAD REFERENCE NO.	CHECKED
R_0503-03		RS
		REVISION
		B



435-437 Walmersley Road, Bury, Lancashire, BL0 9EU T: 0161 797 2077 F: 0161 797 2068
info@equilibriumarchitects.co.uk www.equilibriumarchitects.co.uk



Typical new proposed perimeter fence

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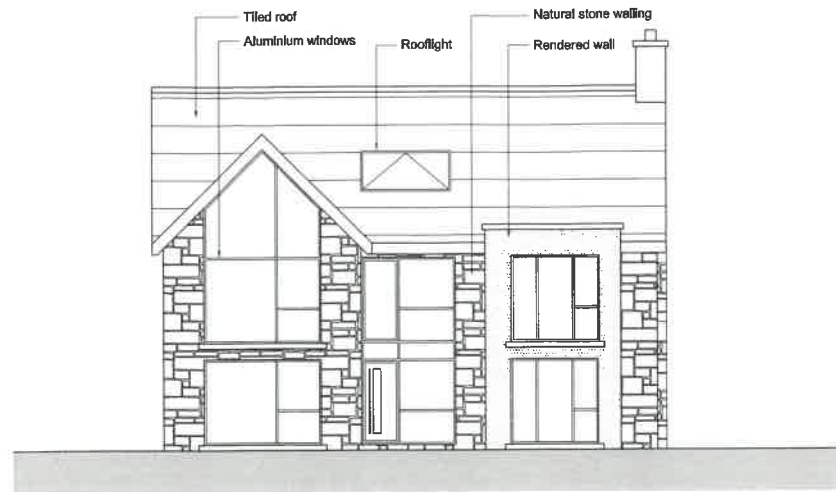
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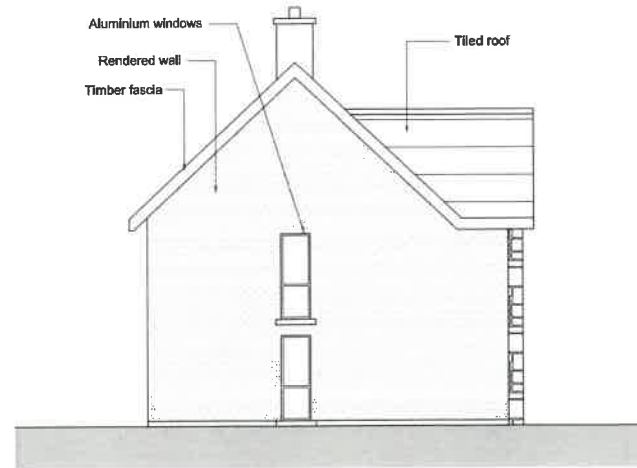
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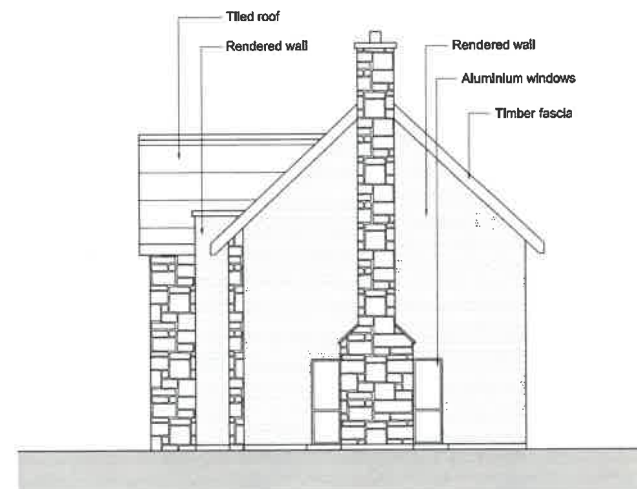
Proposed North Elevation



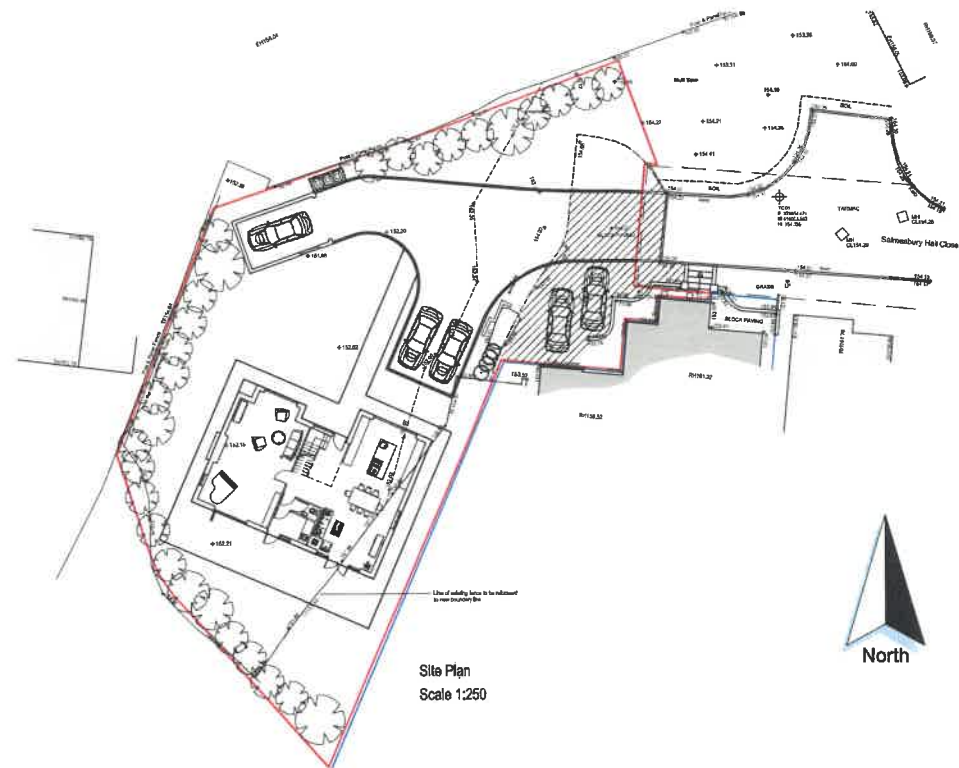
Proposed East Elevation



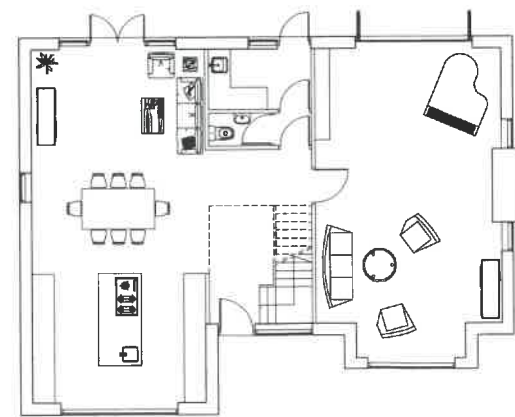
Proposed South Elevation



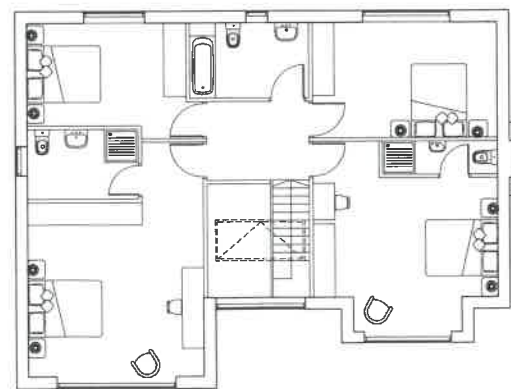
Proposed West Elevation



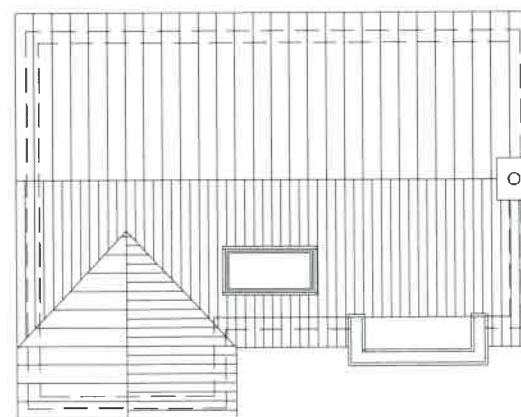
Site Plan
Scale 1:250



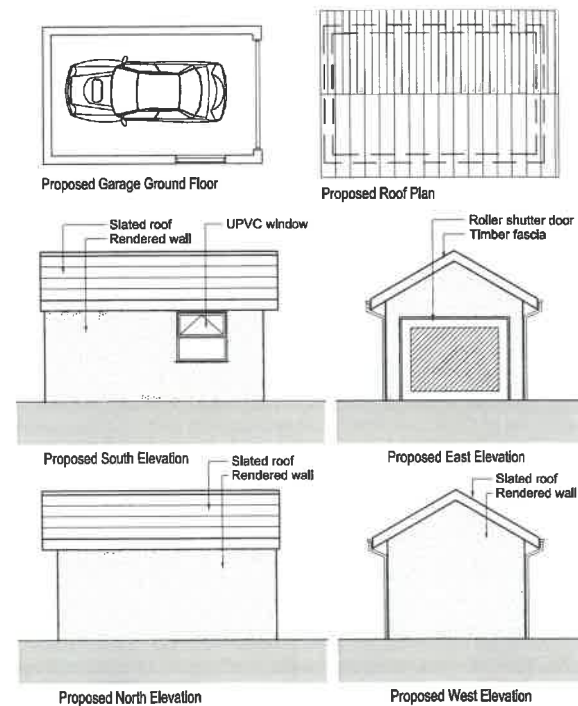
Proposed Ground Floor



Proposed First Floor



Proposed Roof



B	Drawing updated	Scale 1:100
A	Drawing updated for Planning Issue	July 19
REV	DESCRIPTION	CHECK DATE

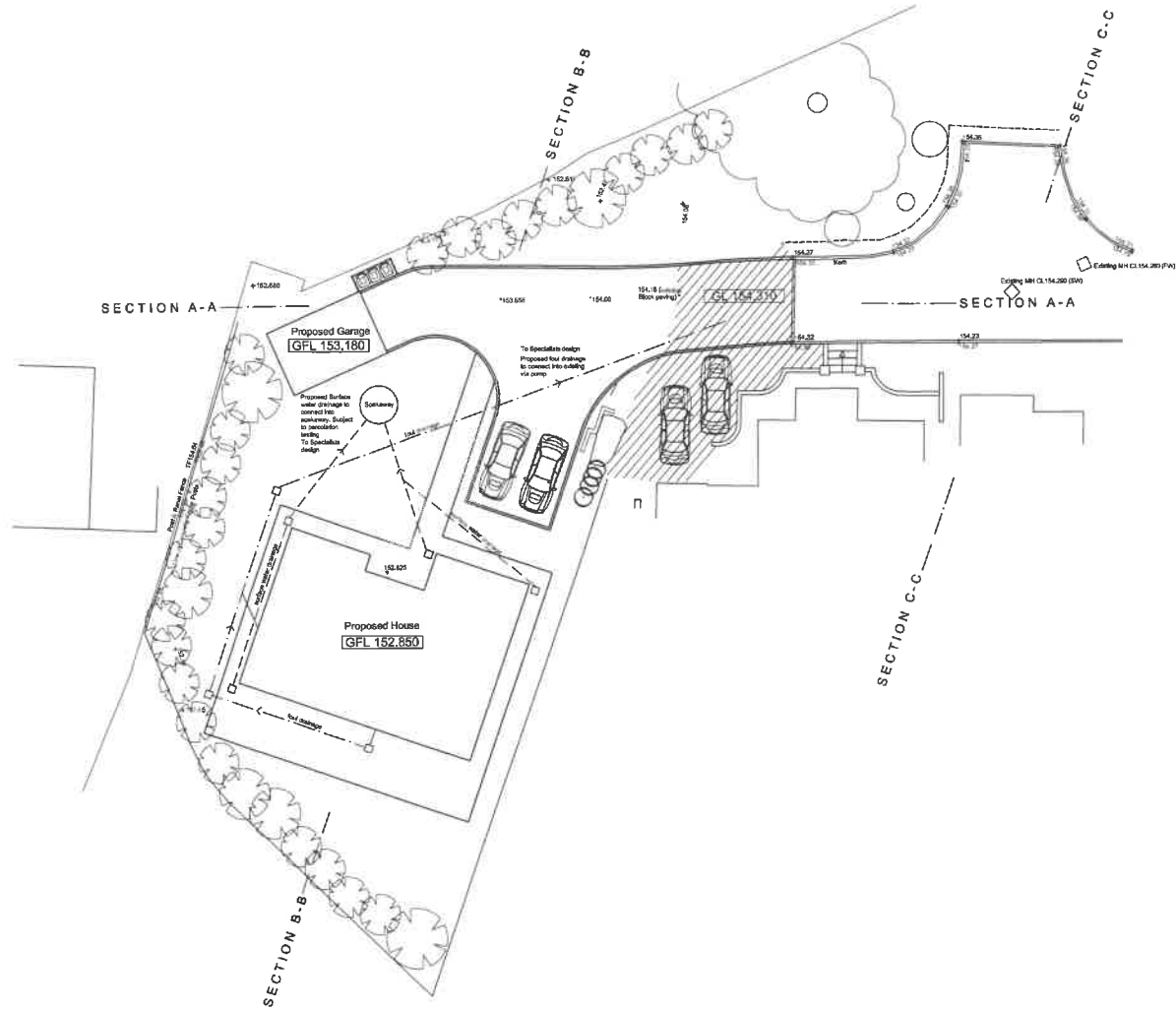
CLIENT
Mr & Mrs Lay

PROJECT
New Detached House on Land Adjacent
7 Salisbury Hall Close, Ramsbottom, BL0 9FG

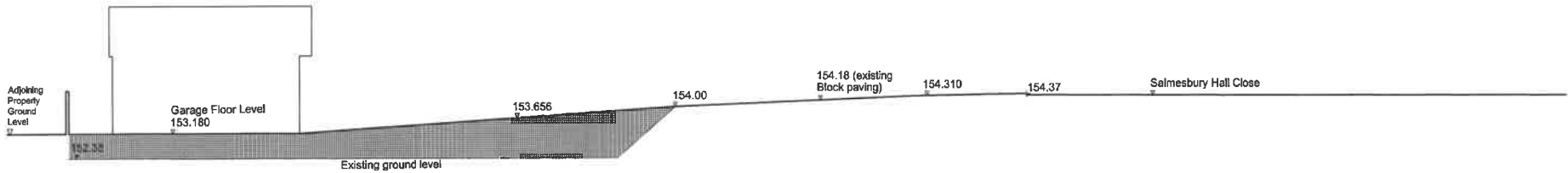
DRAWING
Proposed GA Plans & Elevations

SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	05_2019	PB	RS
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R_0503-05		B	

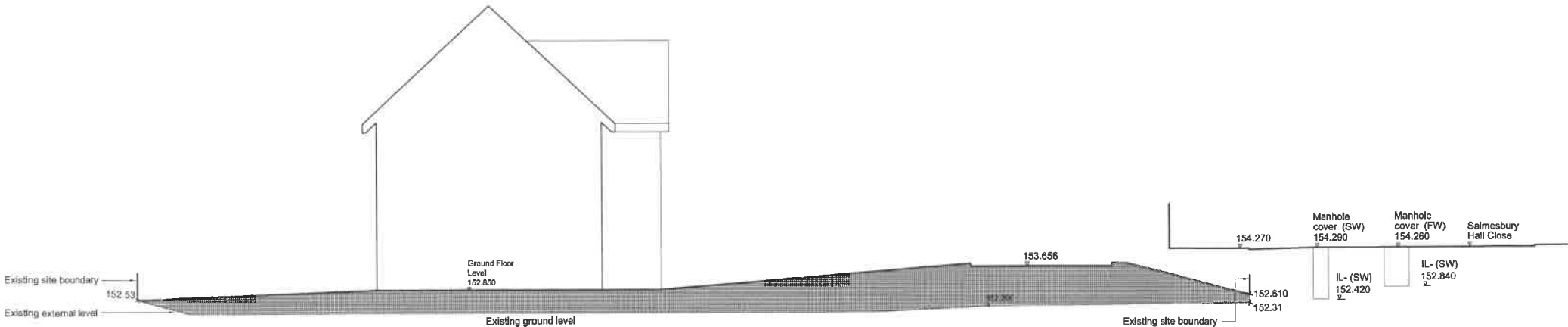




Proposed Site Layout 1:200



Proposed Section A-A 1:100



Proposed Section B-B 1:100

Proposed Section C-C

1:100

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A Drawing updated		28.11.16	
REV	DESCRIPTION	CHECK	DATE
CLIENT			
Mr & Mrs Lay			
PROJECT			
New Detached House on Land Adjacent 7 Salmesbury Hall Close, Ramsbottom, BL0 9FG			
DRAWING			
Proposed Site Sections & Site Layout			
SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	Nov 2019	MH	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R_0503-07		A	



Ward: Ramsbottom and Tottington -
Ramsbottom

Item 08

Applicant: De Koning Leisure Group Ltd

Location: 27-29 Bridge Street, Ramsbottom, Bury, BL0 9AD

Proposal: Change of use from banking/financial services (Class A2) to restaurant & cafe (Class A3), drinking establishment (Class A4) and 1 no. apartment (Class C3) with internal alterations and construction of new principle entrance

Application Ref: 64787/Full

Target Date: 09/12/2019

Recommendation: Approve with Conditions

Description

The application relates to a three storey stone built building, formerly in use as a bank, in Ramsbottom Town Centre Conservation Area. Constructed in a mix of smooth and rough cut coursed sandstone, the building is attractive with a degree of special architectural merit and is considered to be important within the setting of the conservation area. As such it is a Non -Designated Heritage Asset (NDHA) and is on the Council's Draft Local List (LL353).

The building is located on the corner of Bridge Street and Crow Lane, centrally positioned along the Bridge Street shopping area where there are relatively healthy mix of shops and businesses. St Paul's Church to the east and there are residential properties along Crow Lane with some flats above the shops on Bridge Street.

The application proposes to change the use of the building from its current Financial and Professional Services (A2) use to a restaurant (A3), bar (A4) ancillary flat and additional entrance.

- The ground floor of No.29 Bridge Street, on the corner, would comprise a small bar with a floor area of 48sqm (including toilets and circulation) and a small cellar below.
- There would be a 2-bed apartment above the bar on the first and second floors.
- The ground and first floor of No.27 Bridge Street would form a restaurant with a floor area of 136sqm (inc toilets, kitchen and circulation areas).
- The second floor above the restaurant would be for storage (61sqm).
- The only significant structural alteration externally would be the new pedestrian entrance formed on the frontage of No.27, giving access to the proposed restaurant. This would be centrally positioned between the windows and would have a stone surround to match the existing frontage.

Relevant Planning History

23735 (No.29) Change of use from shop (class A1) to office (class A2) -Approved
08/02/90

45613 Signage - Approved 23/01/2006

48585 Alterations to main entrance/ level access - Approved 12/10/2007

55011 Signage - Approved 30/04/2012

59810 Signage - Approved 21/04/2016

63329 Removal of existing banking related fittings and fixtures and infilling of stonework -
Approved 07/12/2018

Publicity

Press notice in Bury Times and site notice posted 31/10/19 and the following 15 properties notified by letter dated 25/10/19. Peel Chapel of Rest, Crow Lane, Nos.31 and 33,

44-56(even) Bridge Street and St Paul's Church.

Nine objections have been received from the following addresses: 37 and 52A Bridge Street, 241 Bolton Road North, 16 Ada Street, 1 Henwick Hall Avenue, 1 Peel Court, 131 Stubbins Lane, 36 Market Place, 1 Harwood Drive. Summarised:

- There are enough bars and restaurants in Ramsbottom.
- Increase in parking problems.
- Increase in noise and disturbance around the site.
- The site should be used for other uses - eg. children's activities, book shop.
- Overlooking to residential accommodation across Bridge Street.
- The footpath outside the site is narrow and could be a safety hazard with customers coming out of the premises and conflict with passing pedestrians.

One representation in support of the proposal from the resident at 26 Carrwood Hey who welcomes new business in the area rather than empty buildings.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - Concerns about noise from the bar/restaurant and residential unit.

Conservation Officer - No objection.

Waste Management - No objection.

Greater Manchester Police - No objection subject to various measures to increase security.

United Utilities - No objection.

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

Unitary Development Plan and Policies

EN2/2	Conservation Area Control
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
S1/2	Shopping in Other Town Centres
S2/2	Prime Shopping Areas and Frontages
S2/6	Food and Drink
EN1/8	Shop Fronts
EN2/1	Character of Conservation Areas
EN7/2	Noise Pollution
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.

Town Centre/shopping Policies - The site is within Ramsbottom Town Centre's Prime Shopping Area and on the main route through the town. There has been much discussion over retailing and the future development of town centres in recent years with the apparent changes in our shopping habits and planning applications for changes of use to food and drink uses raising relevant issues.

The National Planning Policy Framework indicates that local planning policies should take a positive approach to the growth, management and adaptation of town centres. It states planning policies should promote vitality and viability by allowing growth and diversity that responds to changes in retail and leisure activities, allows a suitable mix of uses and reflects their distinctive characters.

UDP Policy S1/2 Shopping in Other Town Centres states that the Council will seek to maintain and strengthen the retail roles of town centres.

Policy S2/2 Prime Shopping Areas and Frontages is relevant. This policy seeks to maintain retailing as the predominant land use at ground floor level. Factors to consider include:

- design of the frontage
- the maintenance of a display window
- access
- impact on neighbour amenity.

Where the proposal would lead to more than 10% of any identified prime shopping frontage being in non-retail use, other factors to be considered include:

- location and prominence of the site,
- number, distribution and proximity of other non-retail uses,
- nature and character of the use proposed.

Impact on Town Centre Shopping - With the top end of Bolton Street, Bridge Street comprises the main shopping area within the town centre and still has a very healthy proportion of A1 retail uses. To illustrate, the block on which the site is located (Nos.27-47) has approximately 30% of the frontage in non-retail use. Across Bridge Street, on the three blocks (Nos.28-70) opposite the site, only about 19% of the frontage is not in A1 retail use. It is relevant to note that the site itself is not in A1 retail use, but in A2 use (Financial and Professional Services) and therefore there is no further net loss of retail should the proposal be approved.

On the corner of Crow Lane and across from the war memorial gardens, the site is particularly prominent within the frontage along Bridge Street, and as such it is important to re-establish its long term occupancy within the streetscape, given it has been vacant for about a year.

Given the existing site is not in retail use, the relative proportions of A1 retail and non-A1 uses along this part of Bridge Street and the potential footfall both during the day and in the evenings, it is not considered that the proposal would have a detrimental impact on the viability and vitality of town centre shopping in Ramsbottom, rather in bringing an existing vacant property back into an active town centre use, it would be a positive development. As such the proposal, in terms of use, is acceptable and complies with the NPPF and UDP policies S1/2 Shopping in Other town Centres and S2/2 Prime Shopping Areas and Frontages.

Visual amenity and Heritage - Given the building is a non-designated heritage Asset (NDHA) within the Two Centre Conservation Area, a heritage statement was submitted with the application. Whilst internally there is little of historical or architectural merit, a high value is accorded to the building's external appearance and its 'Arts and Crafts' architectural character within the conservation area.

Externally, the only significant alteration would be the formation of a pedestrian entrance on the Bridge Street frontage. It is considered that the proposal, in bringing the premises back into active use, would add vibrancy and improve the character and visual amenity along this part of Bridge Street, particularly as it is proposed to open during the day as well as the evening.

The proposed ventilation/extraction flue would be installed internally to run through the

building and out the roof at the rear. A condition would require details of the installation of the flue prior to commencement of development.

In terms of visual amenity and the impact on the character of the existing building, streetscape and wider conservation area and complies with Chapter 6 of the NPPF and UDP Policies EN1/2 and EN2/1 and EN2/2 relating to streetscape and conservation areas.

Residential amenity - Given the nature of the proposed restaurant and bar uses, there is likely to be a certain amount of noise and activity but this is to be expected on the main commercial/shopping street within the town centre and the proposed opening hours to midnight, Monday to Saturday are not considered to be excessive in this location.

It is important to note that the proposed residential unit, above the bar on the corner, in providing accommodation for the bar owner/manager and family, would be ancillary to the bar use. Notwithstanding this, if approved, a condition would ensure appropriate sound insulation to walls/ceilings to reduce noise transfer from the commercial uses to the residential unit within the building and to the adjoining property at No.31.

The issue of overlooking across Bridge Street towards a flat above No.52 has been raised by an objector. In response to this, it is proposed to apply an appropriate obscured film to the lower sections of the windows to reduce views through. This would help reduce overlooking to properties across the street to an acceptable degree.

With regard to the impact of any fumes, a condition would be attached to any approval, requiring details of any flues/extraction systems to be submitted for approval prior to commencement of the uses. The proposal is considered to be acceptable in terms of residential amenity and complies with UDP Policy S2/6 Food and Drink.

Access - Public access to the A4 bar would be via the existing level access entrance on the corner. The access to the restaurant would be via the new entrance onto Bridge Street and would also be level with the adjacent footway. The footway on Bridge Street in front of the site is relatively narrow but not so narrow as to cause undue highway safety issues as customers enter and exit the premises. In terms of access issues, the proposal would comply with UDP Policies HT5/1 and S2/6 in terms of access.

Servicing - The property would be serviced from the rear, via Crow Lane as it was when in use as a bank. Refuse bins and beer barrels would be stored at the rear and collected from Crow Lane.

Traffic and Parking - As the site is within the town centre, it is in a very sustainable location with good links to public transport and access to public car parking. Operating as a bank, the property would have generated a certain amount of traffic during the day. During the day within this town centre location, the difference in traffic would be negligible. The proposed uses would generate additional traffic during the evening but it is considered that the actual numbers would not be significant within the town centre as a whole, even in the evening. The Traffic Section has raised no objection to the proposal which in terms of traffic and parking would be acceptable and comply with UDP Policy S2/6 Food and Drink.

Objections - The planning issues raised by objectors have been addressed in the above report. With regard to other uses suggested by an objector, the Local Planning Authority can only assess that which is proposed in the application at hand.

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

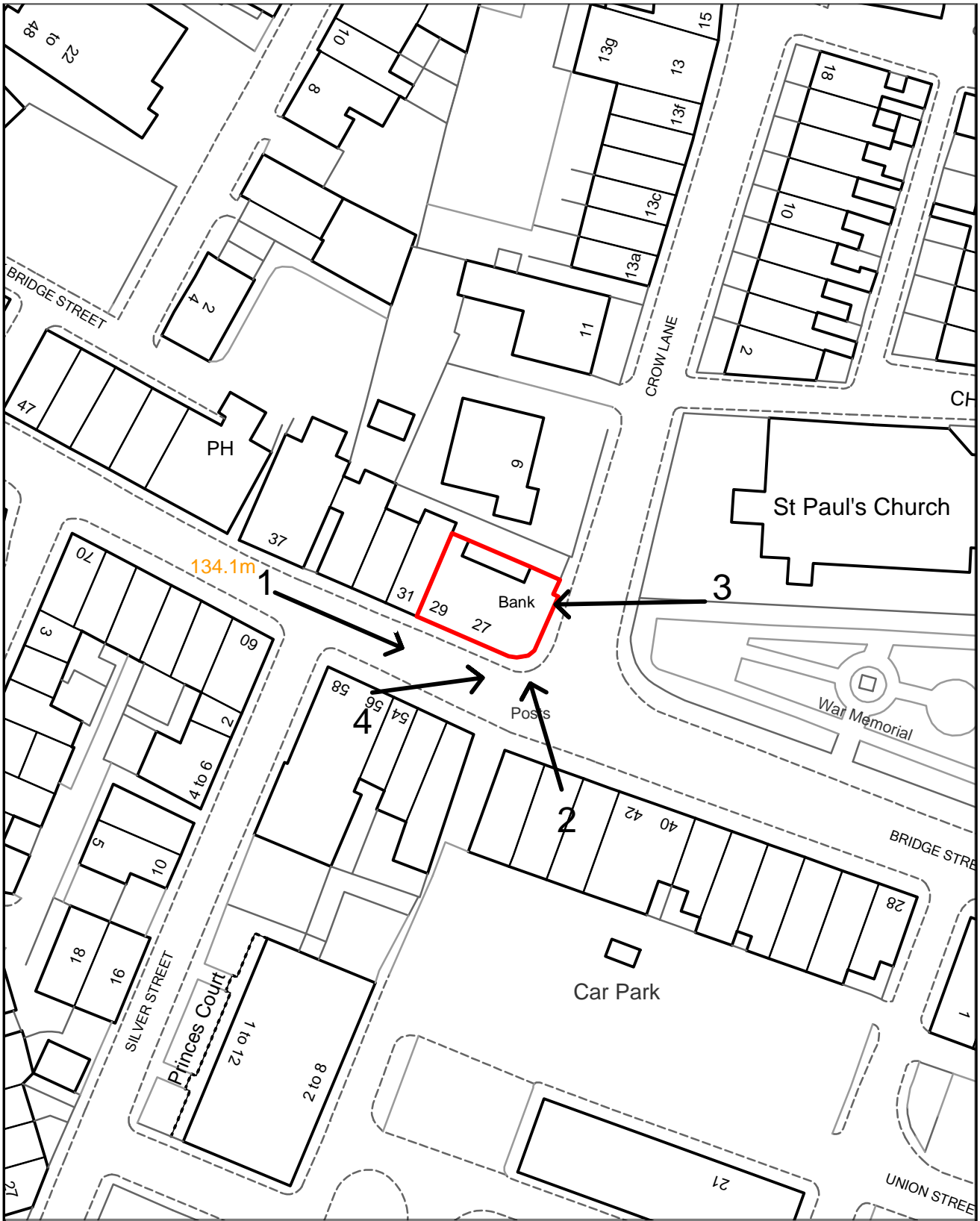
Conditions/ Reasons

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 19-03/05, 08-A, 07-B, 10-D 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 to be used in the external elevations and for the treatment of window surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/treatment shall be used in the development.
Reason. No material samples have been submitted and are required in the interests of visual and residential amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/2 Townscape and Built Design and S2/6 Food and Drink.
4. The bar and restaurant uses hereby permitted shall not be open to customers outside the following times:
10.00hrs to 00.00hrs (midnight) Mondays to Saturdays.
10.00hrs to 23.00 hrs Sundays/Bank Holidays
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policy S2/6 Food and Drink.
5. Prior to commencement of use, the acoustic insulation of the walls and 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.
6. Prior to the approved uses commencing, the bin storage areas indicated on the approved plans shall be made available and maintained thereafter.
Reason. To secure appropriate bin storage pursuant to UDP Policy S2/6 Food and Drink.
7. No development shall commence unless and until a scheme for treating, diluting and dispersing fumes and odours has been submitted to and approved in writing by the Local Planning Authority, which 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.
Reason. The application contains insufficient detail in order to demonstrate that

the required scheme would maintain the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64787

**ADDRESS: 27-29 Bridge Street
Ramsbottom**

Planning, Environmental and Regulatory Services

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64787

Photo 1



Photo 2



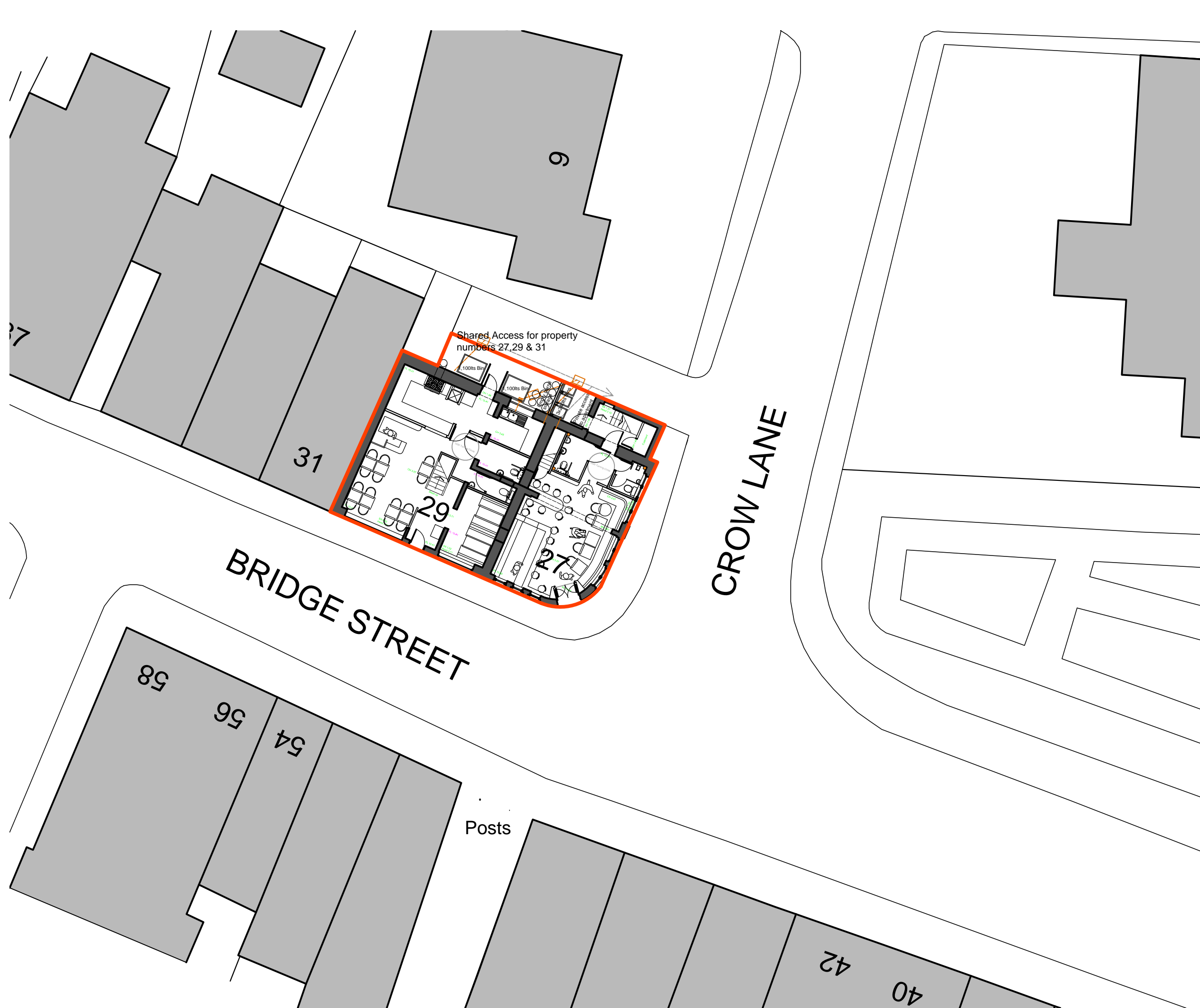
64787

Photo 3



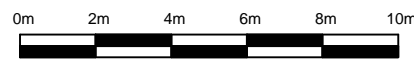
Photo 4





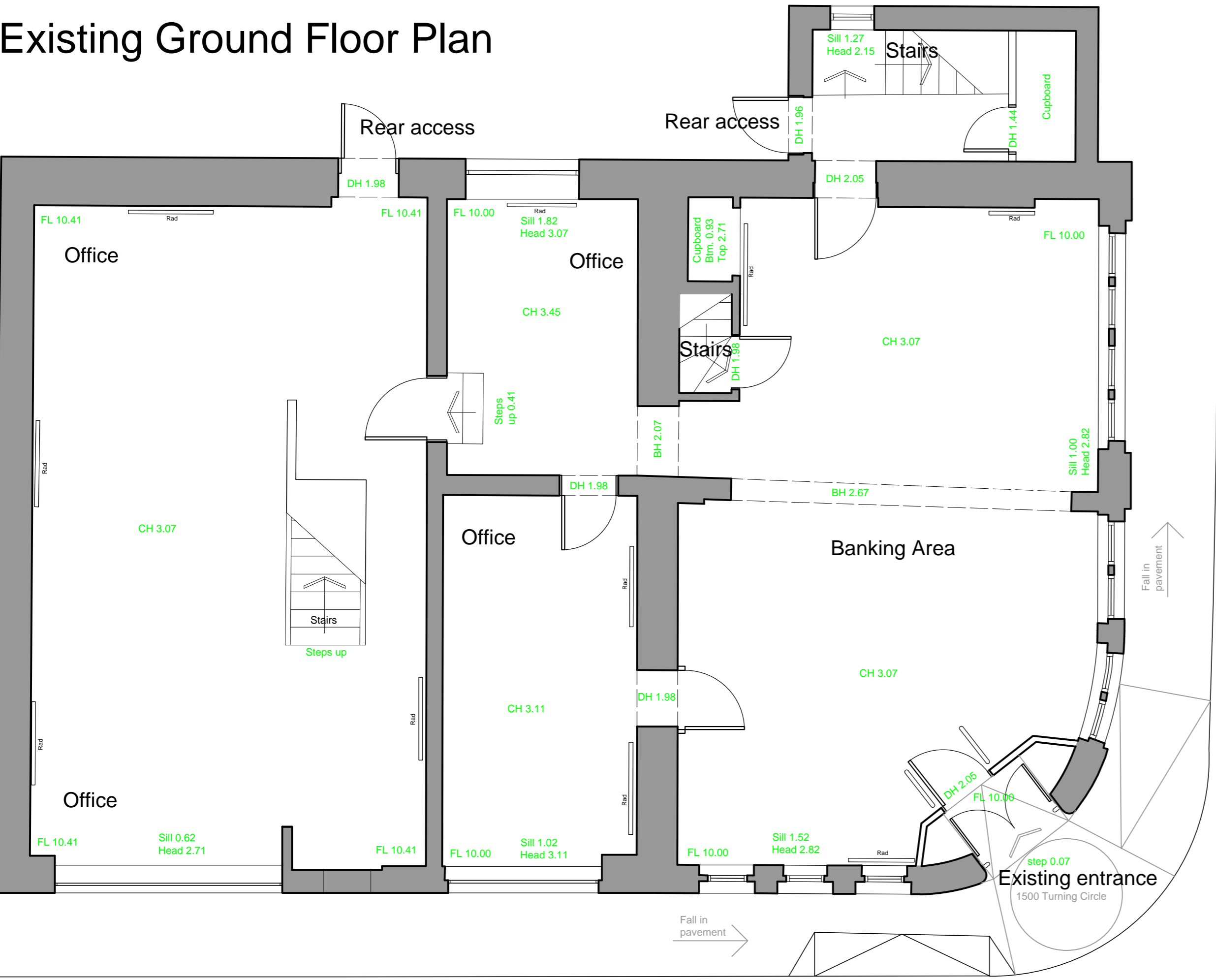
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● This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.		
REV.	AMENDMENTS	DATE
Rev A	Foul Drainage added	19-10-11

Proposed Block Plan @ 1:200 @ A3

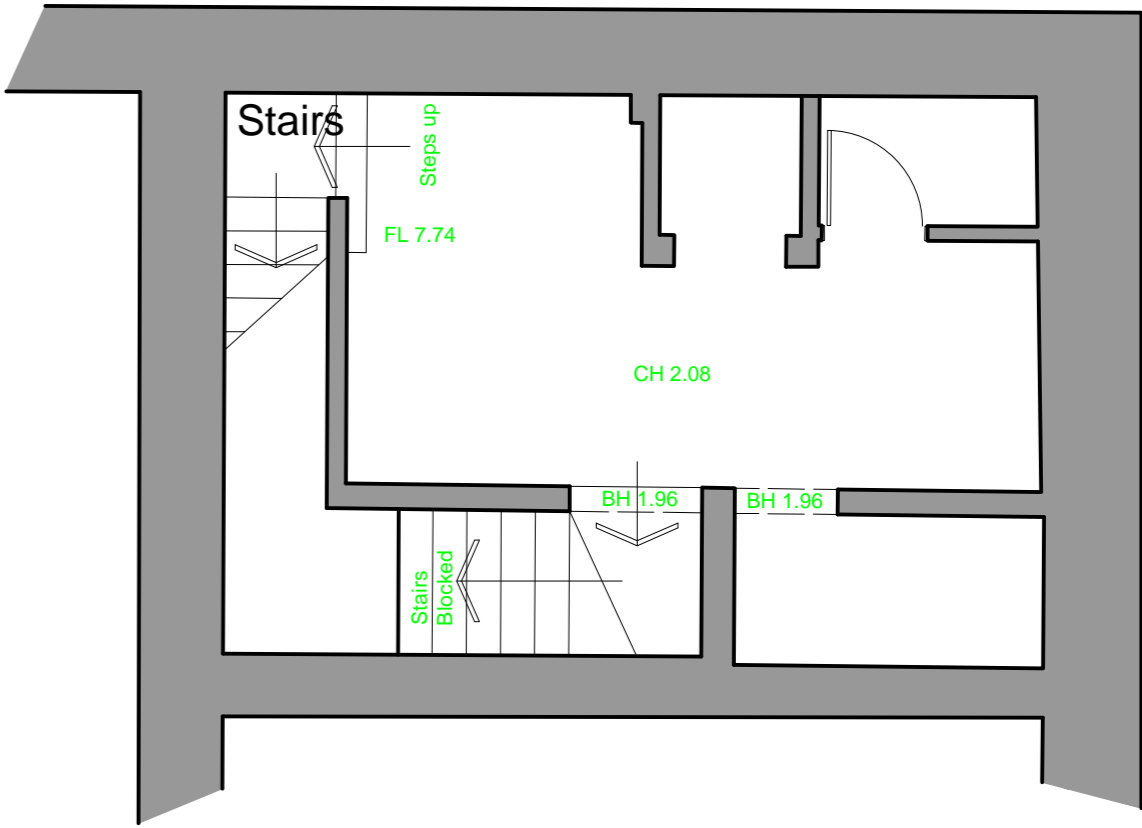


Project	CHANGE OF USE: USE CLASS A2 TO A3 & A4 (RESTAURANT & CAFES, DRINKING ESTABLISHMENTS) AND C3 (DWELLING), PLUS INTERNAL ALTERATIONS 27-29 BRIDGE STREET, RAMSBOTTOM, BURY BL0 9AD
Drawing	PROPOSED BLOCK PLAN
Client	DEKONING LEISURE GROUP LTD
Dwn. By	NP
Scale	1:200 @ A3
Drg. No.	19-03-08-A
Drg. Size	A1
Date	OCTOBER 2019

Existing Ground Floor Plan

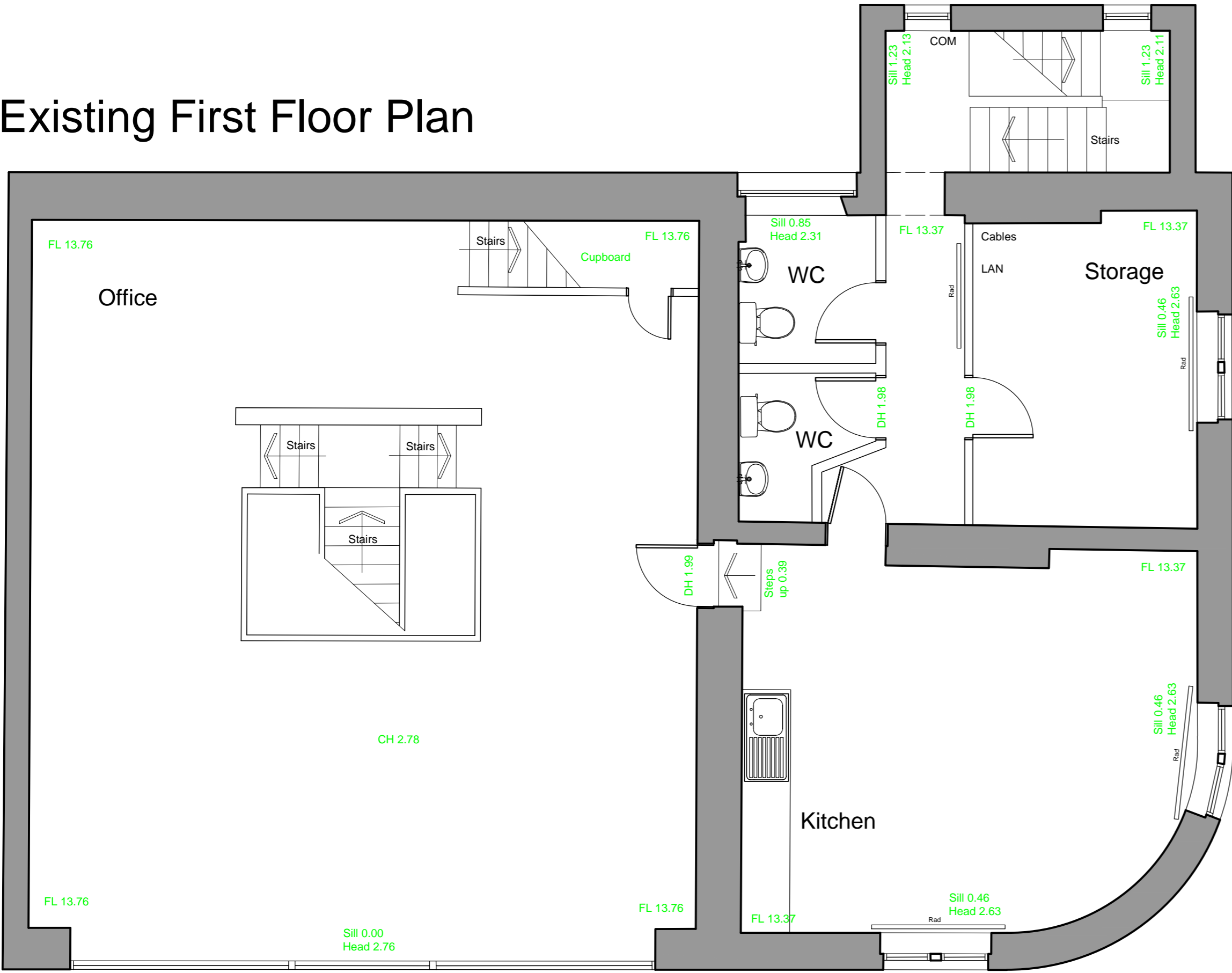


Existing Basement Floor Plan

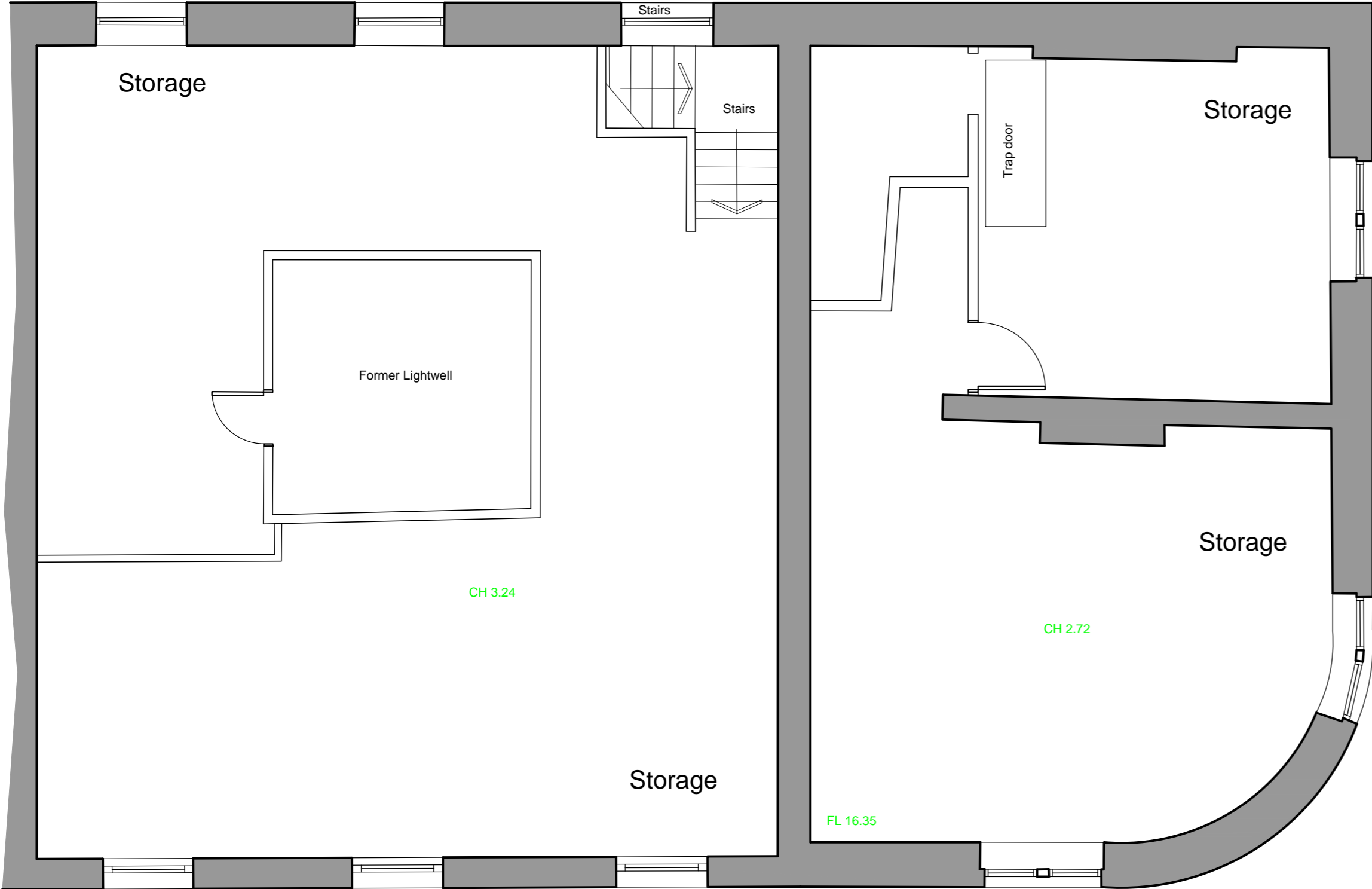


Bridge Street

Existing First Floor Plan



Existing Second Floor Plan



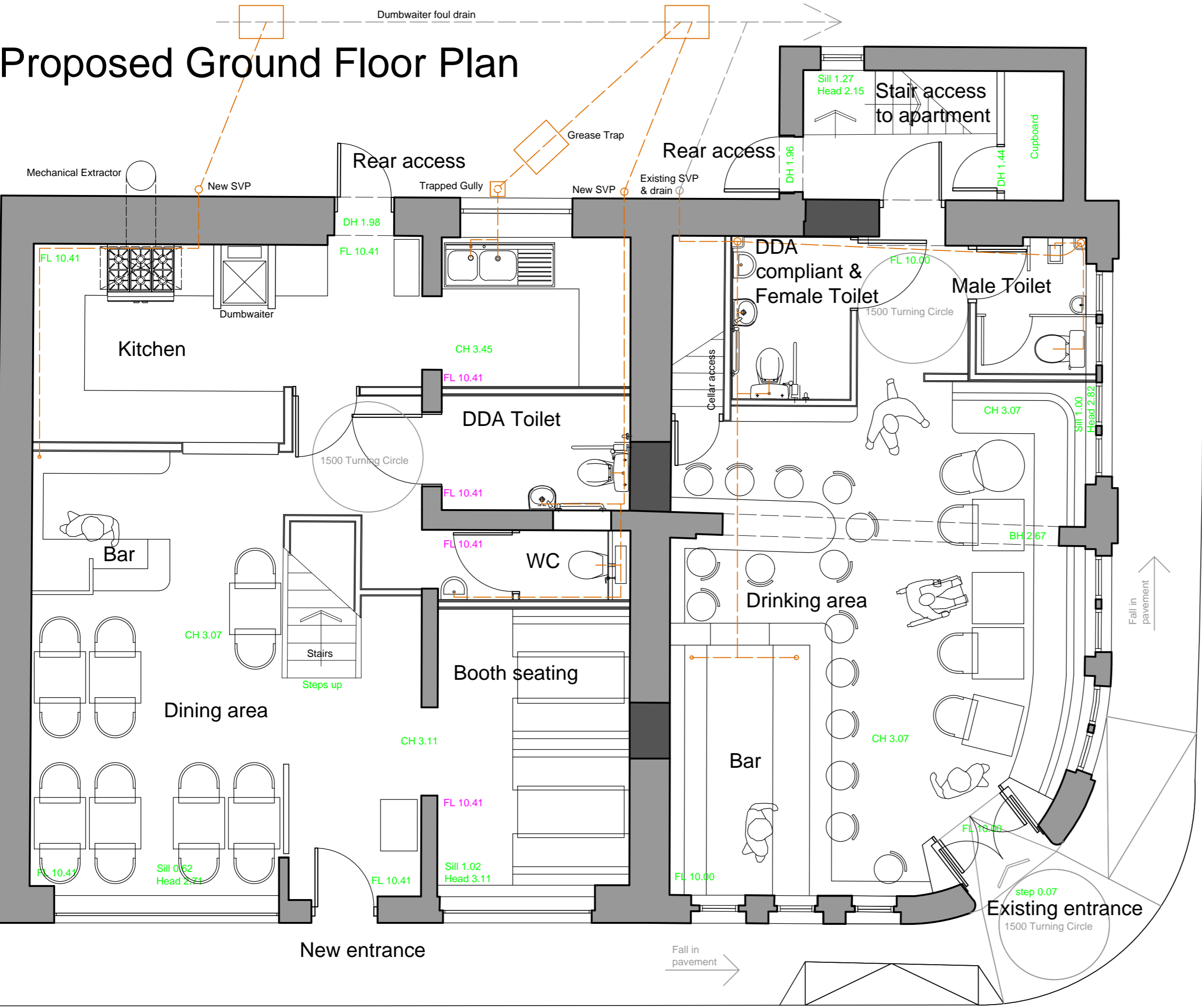
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- | REV. | AMENDMENTS | DATE |
|------|------------|------|
|------|------------|------|

Existing Floor Plans @1:50

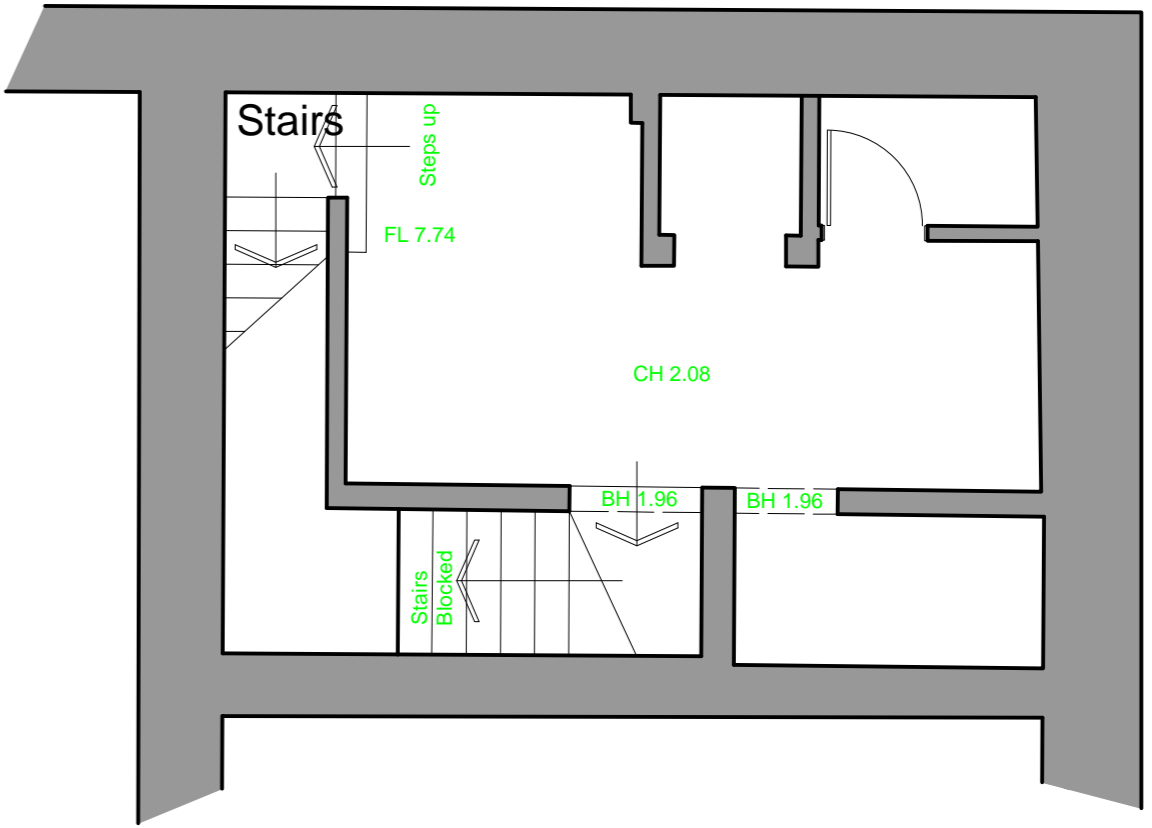


Project	CHANGE OF USE: USE CLASS A2 TO A3 & A4 (RESTAURANT & CAFES, DRINKING ESTABLISHMENTS) AND C3 (DWELLING), PLUS INTERNAL ALTERATIONS 27-29 BRIDGE STREET, RAMSBOTTOM, BURY BL0 9AD		
Drawing	EXISTING GROUND, FIRST & SECOND FLOOR PLANS		
Client	DEKONING LEISURE GROUP LTD		
Dwn. By	NP		
Scale	1:50 @ A1		
Drg. No.	19-03-05		
Drg. Size	A1		
Date	SEPTEMBER 2019		

Proposed Ground Floor Plan



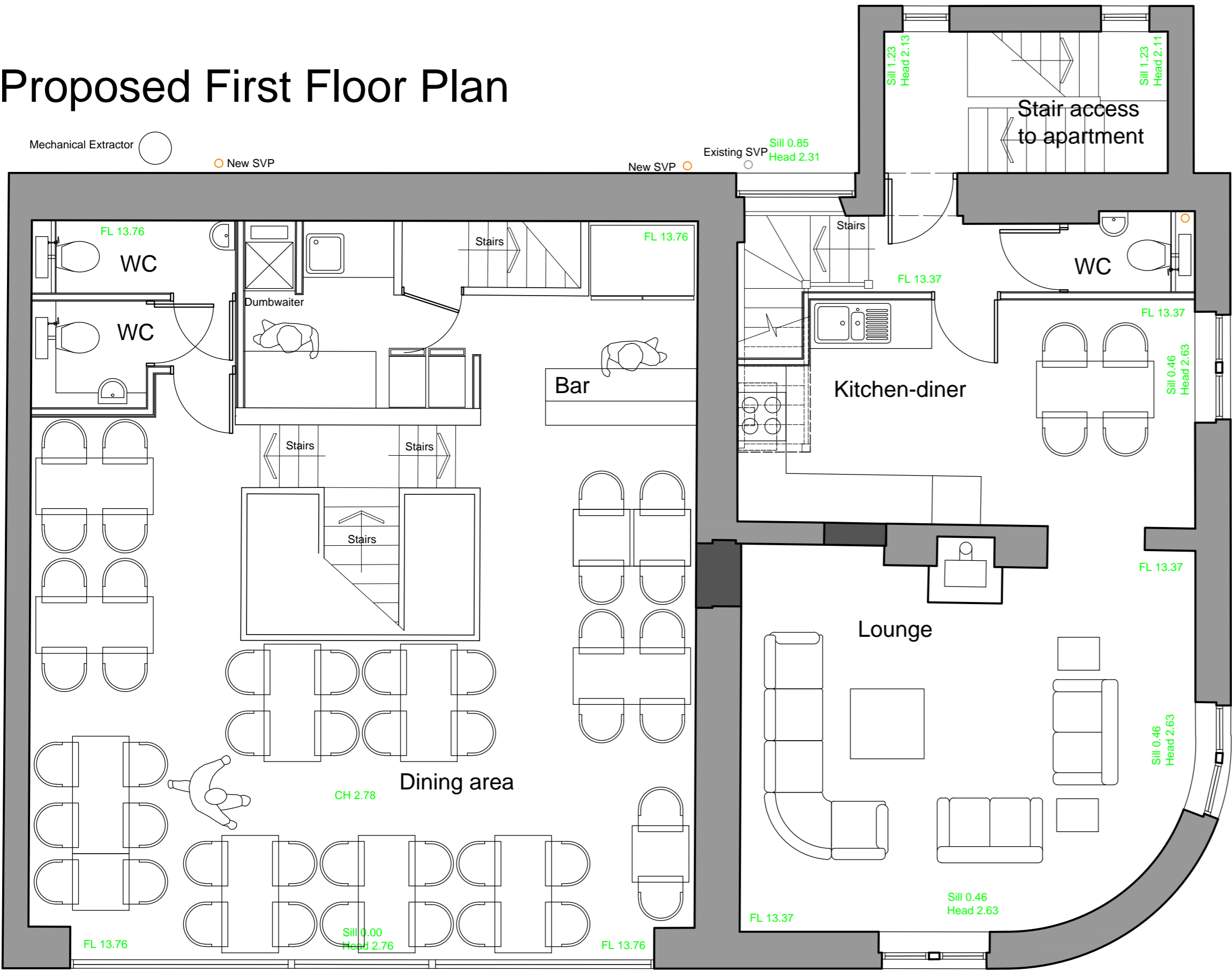
Existing Basement Floor Plan used as beer cellar



Crow Lane

Bridge Street

Proposed First Floor Plan

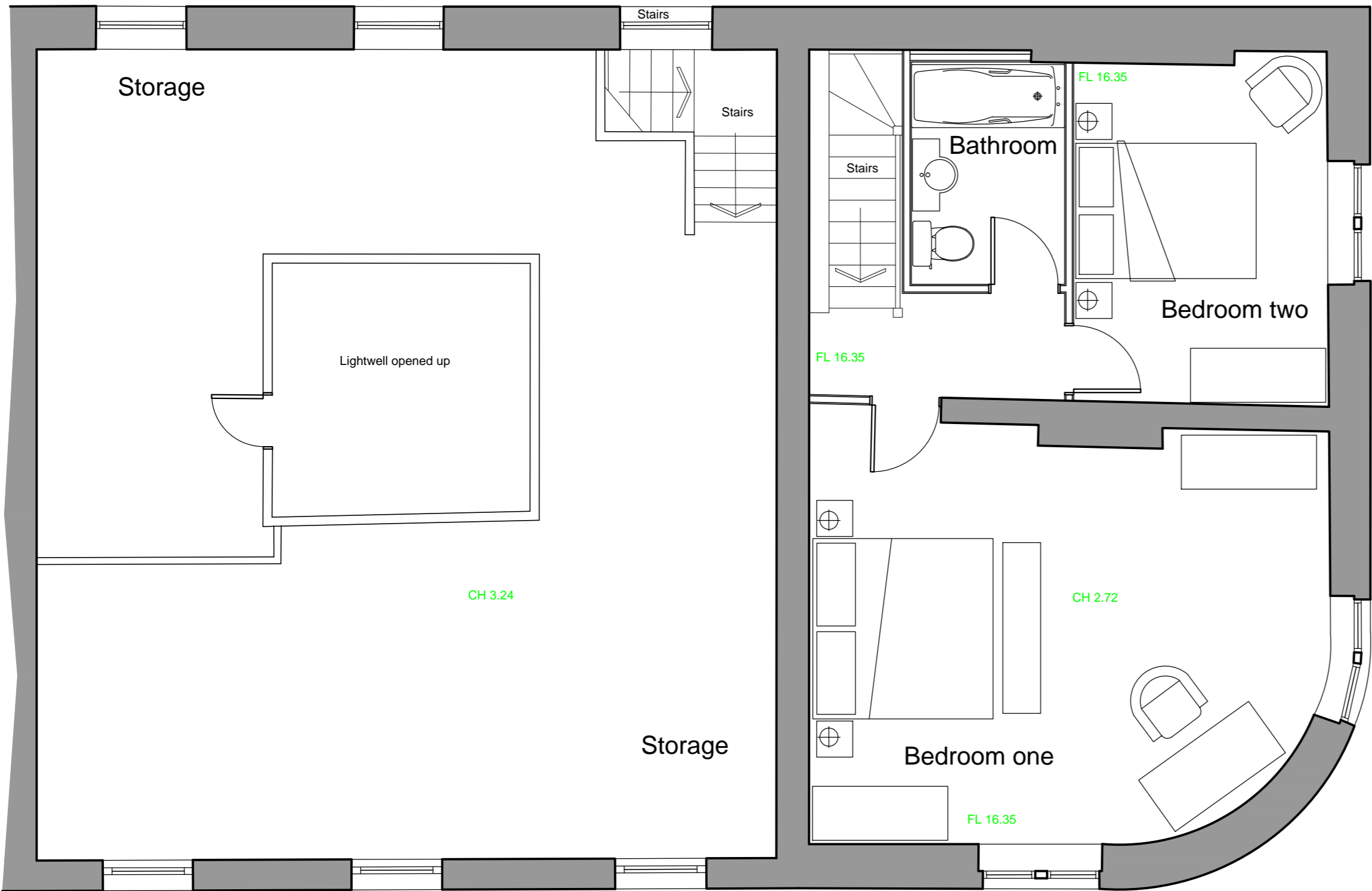


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- This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

REV.	AMENDMENTS	DATE
Rev A	Bar & toilets amended	19-09-27
Rev B	Basement area added to drawing	19-10-10
Rev C	Foul Drainage added	19-10-11

Proposed Second Floor Plan



Proposed Floor Plans @ 1:50



Project	CHANGE OF USE: USE CLASS A2 TO A3 & A4 (RESTAURANT & CAFES, DRINKING ESTABLISHMENTS) AND C3 (DWELLING), PLUS INTERNAL ALTERATIONS 27-29 BRIDGE STREET, RAMSBOTTOM, BURY BL0 9AD
Drawing	PROPOSED GROUND, FIRST & SECOND FLOOR PLANS
Client	DEKONING LEISURE GROUP LTD
Dwn. By	NP
Scale	1:50 @ A1
Drg. No.	19-03-10-C
Drg. Size	A1
Date	SEPTEMBER 2019



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• This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.		
REV.	AMENDMENTS	DATE
Rev A	New entrance off Bridge St altered.	19-10-10
Rev B	Frost-manifestation film applied to Restaurant windows, ground & first floor	19-11-28



The only proposed change to the elevations is to form a new Main Entrance doorway to the proposed new Restaurant

Project	CHANGE OF USE: USE CLASS A2 TO A3 & A4 (RESTAURANT & CAFES, DRINKING ESTABLISHMENTS) AND C3 (DWELLING), PLUS INTERNAL ALTERATIONS 27-29 BRIDGE STREET, RAMSBOTTOM, BURY BL0 9AD		
Drawing	EXISTING & PROPOSED ELEVATIONS		
Client	DEKONING LEISURE GROUP LTD		
Dwn. By	NP		
Scale	1:50 @ A1		
Drg. No.	19-03-07-B		
Drg. Size	A1		
Date	SEPTEMBER 2019		

Ward: Bury East - Redvales

Item 09

Applicant: Environment Agency

Location: Land to south of Central Avenue & Keswick Drive, Bury

Proposal: Erection of walls between 1.5m & 3.5m in height to form a flood defence

Application Ref: 64789/Full

Target Date: 16/12/2019

Recommendation: Approve with Conditions

Description

The application site relates to the northern bank of the land adjacent to River Irwell, which slopes steeply down to the river. The land contains vegetation, which consists of a variety of trees and shrubs. The site extends from the Warth bridge on Bury/Radcliffe Road to the river bank near St Peters Primary School.

There are residential properties to the north of the site. Where the river bends, there are informal allotments and St Peters Primary School to the east.

The proposed development forms part of a flood defence scheme for Radcliffe and Redvales. Phase 1 of the scheme, which involved the erection of bunds and walls at Close Park and Morris Street was approved in March 2019 and works have commenced. This scheme forms part of phase 2 and the works have been split into three applications, including this one. The other applications cover works at Warth Business Park (64788), Lower Hinds, York Street, Redvales Business Park and Bury Point (64790).

The proposed development involves the erection of a series of concrete L wall and sheet piled walls to create a flood defence along the northern bank of the River Irwell. The proposed flood defence will tie into Warth bridge and continue east along the rear of the residential properties on Radcliffe Road, Central Avenue and Keswick Drive and would end near St Peter's Primary School. At St Peter's Primary School, the defences would connect with the next phase of defences at Redvales Business Park.

- At Warth Bridge, the defence would be a L-shaped retaining wall for 80 metres at a height between 1.5 and 2.5 metres. It would be finished with brick effect patterned concrete with a coping stone.
- Running east along the houses near Keswick Drive, there would be a sheet pile retaining wall for 15 metres at a height of between 2 - 3 metres. It would have brick effect patterned concrete on the dry side and would be exposed on the wet side with a sloped timber coping.
- The next phase would be a sheet pile retaining wall for 174 metres at a height of between 1 - 2 metres. It would be an exposed sheet pile wall with timber trellis fencing and a sloped timber coping.
- Running east up to the school, there would be a L-shaped retaining wall for 45 metres at a height of 1.5 metres. It would have brick effect patterned concrete with a coping stone.

Access would be taken from Central Avenue for construction purposes with a storage compound at Morris Street.

Relevant Planning History

Linked schemes

63559 - A series of sheet piled walls and embankments, on land within Close Park and land

to the south of Morris Street, which form part of a wider scheme to improve flood protection along the River Irwell. Approved with conditions - 28 March 2019.
Works have commenced on phase 1.

64788 - Erection of retaining walls & sheet piled walls between 1m & 3m in height to form a flood defence between the metrolink bridge and Warth Bridge at land to south of Warth Industrial Estate, Warth Road, Radcliffe. Received - 21 October 2019.

64790 - A series of sheet piled walls, concrete walls and earth embankments across 5 sites at land to west of Metrolink line at Warth Road; land to west of Bury Road; land to east of Whitefield Road; land to west of Hardy's Gate Bridge and land to north of York Street, Bury. Received - 21 October 2019

Adjacent site

58896 - Demolition of existing outhouse and erection of single storey extension at side at 14 Keswick Drive, Bury. Approved with conditions - 10 August 2015

59171 - Prior notification for single storey extension at rear at 34 Keswick Drive, Bury. Prior Approval Not Required - 28 September 2015.

Publicity

79 neighbouring properties were notified by means of a letter on 24 October 2019 and site notices were posted on 31 October 2019.

3 letters have been received from the occupiers of 10 Keswick Drive, the Innovation Forum, Salford and 42 Buttermere Road, Burnley, which have raised the following issues:

- I object to the application for the sole reason of choice of materials/method.
- The use of sheet piling and concrete walls goes against the principles of river corridor re-naturalisation under the European Water Framework Directive legislation.
- There are alternatives, which could be used to protect areas from flooding and enhance wildlife.
- The proposed defences would be visually unappealing.
- Seek clarification if the area behind Nos 10 and 12 Keswick Drive would be back filled behind the defence wall?
- Can the Council advise what is being done to clear the drains, which are sub standard.
- Hydropower company have expressed concern at the first community drop in that the proposal would pose an increased risk of flooding to the hydropower site on the south bank of the river opposite Warth industrial estate. The scheme will increase the flood risk and meetings have been held with the Environment Agency (EA). We were assured that either flood mitigation measures would be included or appropriate compensation paid.
- On 10/10/19, we received notification that no flood mitigation measures would be included and no compensation paid.
- We were not fairly informed of the submission of the planning application. The EA have not informed us that the application was submitted. I discovered the application after an internet search on 9 November.
- We have been told we can only claim compensation once damage has occurred.
- The scheme dramatically increases the flood risk to the hydropower development. The EA's report is factually incorrect, logically incoherent and simply nonsensical. Using their data I have demonstrated that the scheme results in a 3-4 fold increase in the probability of a damaging flood event.
- With the effects of climate change and the proposed flood scheme, the hydropower plant is not viable over the longer term.
- The proposed scheme increases the risk to the land surrounding the hydropower development. The proposed scheme would increase the risk of flooding to the footpath adjacent to the hydropower plant.
- The FRA does not accurately represent the risks posed by the proposed scheme. The FRA is highly misleading.

- The modelled data used by the EA to inform the design is demonstrably incorrect and sometimes unfathomable. The EA's modelled data does not correspond to real life.
- The proposed scheme could lead to a flood surge. Concern that the Metrolink bridge is not capable of withstanding the increased lateral forces from the proposed scheme.

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

Statutory/Non-Statutory Consultations

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

Drainage Section - No response received.

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

Environmental Health - Pollution Control - No comments.

Environment Agency - No objections, subject to the inclusion of an informative relating to flood risk and environmental permitting.

United Utilities - No objections, subject to the inclusion of informatives relating to drainage.

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to reasonable avoidance measures, nesting birds, invasive species, a construction environmental management plan and a landscape masterplan.

GM Archaeological Advisory Service - No objections - no known heritage affected by the proposal.

Canal & River Trust - No comments.

Metrolink - No response received.

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

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2	Conservation and Listed Buildings
EN3	Archaeology
EN5	Flood Protection and Defence
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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 (River Valley) - Policy OL5/2 states that within the river valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not

lead to the division of the open parts of the valleys into sections and it falls within the terms below:

- where the area is designated as Green Belt the established Green Belt policies will apply:
- or
- where the area does not form part of the Green Belt, at least one of the following circumstances is met:
 - that the development represents limited infilling to an established valley settlement or industrial area;
 - that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;
 - that the development is required in association with an outdoor recreation or appropriate tourist facility;
 - that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities;
 - any other development that would be appropriate in a Green Belt.

The site is located in River Valley and the policy is clear that if the proposed development would be appropriate in the Green Belt, it would comply with the Policy regarding the river valley. The proposed development would involve the creation of a sheet piled wall along the river embankment to act as a flood defence. As such, the proposed development would be an engineering operation and would be appropriate development within the Green Belt as defined in paragraph 146 of the NPPF.

The proposed walls would vary between 1 metre and 3.5 metres in height and would be viewed against the backdrop of the existing dwellings on Central Avenue and Keswick Drive. As such, the proposed development would not have a significant impact upon the openness and character of the river valley in terms of height and appearance. Therefore, the proposed development would be in accordance with Policy OL5/2 of the Bury Unitary Development Plan.

Design and layout - The proposed development would be a mixture of fencing, bunds and walls, which would act as a barrier and prevent floodwater from causing damage to the residential properties.

The proposed development would vary between 1 metre and 3 metres in height along the northern river bank. The height of the proposed defences is the minimum required to maintain an effective defence. The proposed defence would consist of a mix of L-shaped concrete retaining walls and sheet piled walls. The sheet piled wall section would be exposed on the wet side to allow for inspections by the EA. The views of this section of wall would be oblique distant views from the bridge with limited visibility from the Public Right of Way opposite. As such, this would be acceptable. The side facing the residential dwellings would be finished in brick patterned concrete, which would match the existing dwellings. As such, the proposed development would not be a prominent feature in the locality. Therefore, the proposed development would be in accordance with Policies EN1/2 and EN1/3 of the Bury Unitary Development Plan.

Heritage/archaeology - The terraced dwellings fronting onto Bury Road and Central Avenue are on the draft local list for their external appearance. In consideration of chapter 16 of the NPPF, it is considered to be a non-designated heritage asset (NDHA) and it is necessary to assess the proposal in terms of paragraph 197 of the NPPF.

Paragraph 197 states,

The effect of an application on the significance of a NDHA should be taken into account in determining the application. In weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

GM Archaeological Advisory Service have confirmed that no known archaeological features

would be affected by the proposed development.

The proposed wall would be finished in brick effect patterned concrete, which would match the brick walls around the rear yards. As such, the proposed development would preserve the setting of the locally listed buildings and would be in accordance with Policy EN2 of the Bury Unitary Development Plan and the NPPF.

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

The existing dwellings on Radcliffe Road and Central Avenue would be between 3.1 and 3.5 metres from the proposed wall, which would be at a height of 1.5 and 2.5 metres in height. As there are no principle habitable room windows in the gable elevation of the existing dwellings and the wall would be 0.5 metres above what would be permitted development, it is considered that the proposed development would not have a significant adverse impact upon the amenity of the existing dwellings.

The properties fronting onto Keswick Drive would be over 14 metres away from the proposed wall, which would be in excess of the 13 metre aspect standard.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the occupiers of the residential properties.

Noise - Access to the proposed development would be taken from Central Avenue. It is acknowledged that there would be some adverse impact upon the amenity of the neighbouring properties through noise and disturbance during implementation only. However, the potential for noise and disturbance would be mitigated by the restriction of the hours of delivery from 09.00 to 15.00 and hours of work between 08.00 and 18.00 on Monday to Friday. The Pollution Control Section has no objections to the proposal. As such, it is considered that the wider benefits of the flood defence scheme would outweigh the temporary disturbance to the amenity of the neighbouring properties during construction.

Flood risk - A flood risk assessment has been submitted as part of the application. The FRA responds to the wider flood defence scheme as well as the respective phases. The FRA indicates that the full scheme would provide significant benefits to 873 residential properties within the Radcliffe area as the raised defences would significantly reduce the risk of debris entering the watercourse during flood events and substantially reduce the risk of blockages at the bridge structures. There are some short term risks during the delivery of phase 2 and methods for mitigation have been identified during this period.

The Environment Agency has no objections and are satisfied that the FRA demonstrates that the proposed development will not be at unacceptable risk of flooding or exacerbate flood risk to existing properties elsewhere when considered in association with the overall scheme.

Therefore, the proposed development would not increase flood risk and would offer significant benefits to over 800 properties in Radcliffe. The proposed development would be in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the NPPF.

Ecology - Otters - An otter survey was carried out on the River Irwell and the otter technical note has been provided to GM Ecology Unit (GMEU). GMEU has no objections to the proposed development, subject to the inclusion of a condition requiring the recommendations of the otter technical note.

Nesting birds - As a result of the proposed development, trees and scrub will be removed along the river bank and therefore, the removal of bird nesting habitat. GMEU has no objections, subject to the inclusion of a condition relating to nesting birds and a condition for landscaping to include mitigation for loss of nesting bird habitat.

Invasive species - A construction method statement has been provided in relation to the presence of Giant Hogweed, Himalayan Balsam and Japanese Knotweed. GMEU have assessed the statement and have no objections, subject to a condition relating to the implementation of the statement.

Protection of the River Irwell - During construction, the river would need to be protected to minimise the risk of pollution and this would be secured by a condition relating to a construction and environmental management plan.

A water framework directive assessment has been provided, which has assessed the long term impact of the work as negligible with no significant impacts on the ecological potential of the river. GMEU agree with these findings and would recommend a condition requiring a landscaping masterplan for all mitigation for phase 2.

Overall, the proposed development would not cause harm to the protected species and GMEU has no objections, subject to the inclusion of conditions relating to reasonable avoidance measures, nesting birds, invasive species, a construction environmental management plan and a landscape masterplan. Therefore, the proposed development would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Trees - The proposed development would involve the removal of trees on the site to facilitate the proposed development. All of the trees on site were surveyed and they are moderate to low quality trees. Of the trees on site, 4 trees and 2 groups of category B trees would be removed and 2 trees and 3 groups of Category C trees would be removed. It is acknowledged that there are a lot of trees to be removed, but the trees are located within the flood defence positions. In addition, the applicant has committed to planting 2 trees for each one removed. A condition securing this would be included on any grant of planning permission. Therefore, the proposed development would not impact significantly upon the character of the area and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Highways issues - The proposed development would be accessed from Central Avenue and a small compound would be provided at the bottom of Central Avenue. The main compound would be located at Morris Street. Parking would be available for vehicles at the sites.

The proposed flood defence would tie in with the road bridge over Bury/Radcliffe Road. The Traffic Section has no objections in principle to the proposed development and further comments will be reported in the Supplementary Report.

Response to objectors

- The ground conditions and limited space at the site have resulted in the use of sheet piles and concrete retaining walls being the only available option. The use of these has minimised the tree loss in these areas.
- The impact of the proposal on ecology has been assessed by GMEU, who have no objections to the proposed development, subject to the inclusion of conditions, which the LPA supports.
- The impact of the proposed defences on the visual amenity of the area has been addressed in the report above.
- The area behind Nos 10 and 12 Keswick Drive will not be backfilled.

The points have been responded to by the Environment Agency:

Objection: We were not fairly informed of the submission of this planning application.

Response: The Environment Agency has taken steps to hold direct discussions with Resolution Hydro Ltd prior to the formal application. Further discussions are planned to be held on 2nd December

Objection: The proposed scheme dramatically increases the flood risk to the hydropower

development.

Response: The modelling done by the Environment Agency has shown that, in the area around the Hydropower plant control building, the relative change in level for a given return period flood is unlikely to significantly change the degree of damage caused. We are currently in the process of updating the model with final design defence levels which should improve the clarity of flood levels for events exceeding the 100yr event. We will advise of any changes to our predictions. Every effort has been made to minimise the impacts either by scheme design or alternative arrangements.

Objection: The proposed scheme increases the risk to the land surrounding the hydropower development.

Response: The proposed scheme will act to restrict flooding on the north bank, but changes to the south bank are limited to minor works to prevent extreme event overtopping onto Bury Road and prevent downstream flooding via Hutchinson's Goit. The works proposed on the entrance to the Hutchinson's Goit culvert under Bury Road will not block the culvert and are designed to limit flows during extreme events to no more than that which occurs under the 'no scheme' scenario. These flows are very small in comparison to the main river flows and have little impact on the overall flood levels in this area. As with the hydroplant control building, the frequency and routing of flood water in this area remains largely unchanged by the proposals. As such, there is not considered to be any significantly detrimental increase in the risk of erosion or to public safety as a result of the proposals.

Objection: The flood risk assessment does not accurately represent the risks posed by the proposed scheme.

Response: The reference to 940mm is only applicable to levels downstream of the large weir and is caused by the flow being constrained by Warth bridge. The level increases at the location of the hydropower plant control building are predicted to be much lower than this.

Objection: The modelled data used by the EA to inform the design of the whole scheme is demonstrably incorrect, and sometimes unfathomable.

Response: The modelling work carried out by the Environment Agency is based on a verified hydraulic model that has been developed and updated with recent site survey data and hydrology based on long term river gauges.

Objection: The proposed scheme could lead to a flood surge.

Response: The predicted increases in flood levels upstream of the Metrolink bridge are relatively low and not expected to significantly change the risk to the bridge structure. All proposals are to be discussed and agreed with TfGM to ensure they are suitable and do not pose unacceptable risk of this nature.

Objection: FRA (downstream) - it demonstrates that for any given event, the probability has approximately doubled as a result of the flood defence scheme

Response: The probability has not doubled. The change and impact need to be considered relative to the baseline flood level and the relative building levels and the point at which damage may occur. Please refer to our previous responses.

Objection: FRA (upstream) - The EA data demonstrates the presence of the scheme will result in approximately a 3-fold increase in the probability of our defences being destroyed, and approximately 4-fold increase in the probability of a 'total loss' event occurring, in any given year

Response: The increased probability of a 'total loss' is not 3 or 4 fold. Please refer to our previous responses.

The hydropower station is located in an area that will flood and would suffer severe damage at a 1 in 100 year flood event with or without the flood defences being in place. It is accepted by the EA that the proposed development would increase the flow within the river by 200mm in a 1 in 100 year flood but the flood defences would control and retain this flow to protect the nearby properties. The issues raised in the representations have been directly

responded to by the EA and the LPA and the Local Flood Authority would have no reason to assume otherwise given the responses given. The issue of compensation would be a private matter between the objector and the EA.

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

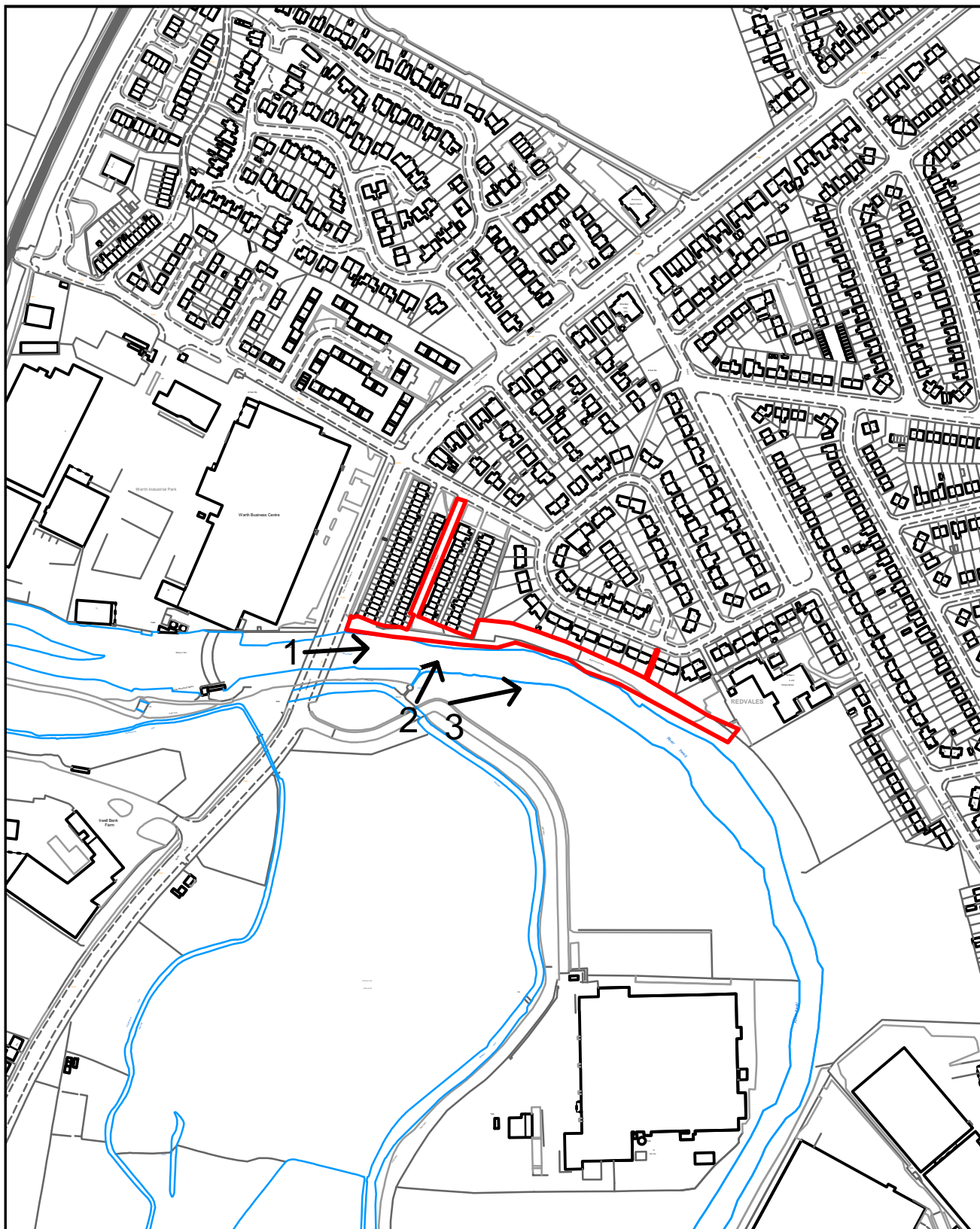
Conditions/ Reasons

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
ENV0000389C-BMM-DZ-4KD-DR-T-0213372 P01,
ENV0000389C-BMM-DZ-4KD-DR-T-0213379 P02,
ENV0000389C-BMM-DZ-4KD-DR-L-0307019, P02,
ENV0000389C-BMM-DZ-4KD-DR-T-0213392 P01, Component 45 -
Photomontage visualisations 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. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
4. 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.
5. The development hereby approved shall be carried out in accordance with the recommendations of the Otter Technical Note, dated 4 December 2018.
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

6. 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.
7. The development hereby approved shall be carried out in accordance with the Construction method statement relating to Giant Hogweed, Himalayan Balsam and Japanese Knotweed.
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
8. A landscaping scheme, as part of the overall master plan for phase 2, 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64789

ADDRESS: Land to south of Central Avenue & Keswick Drive
Bury



Bury
COUNCIL

Planning, Environmental and Regulatory Services

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64789

Photo 1



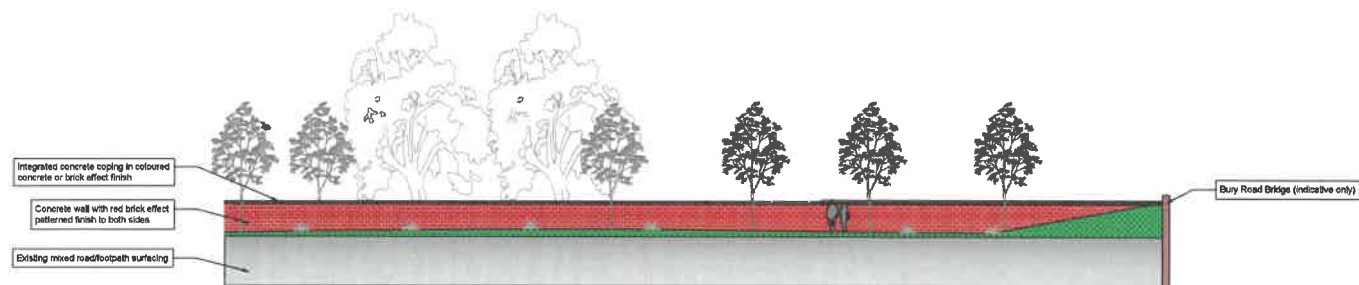
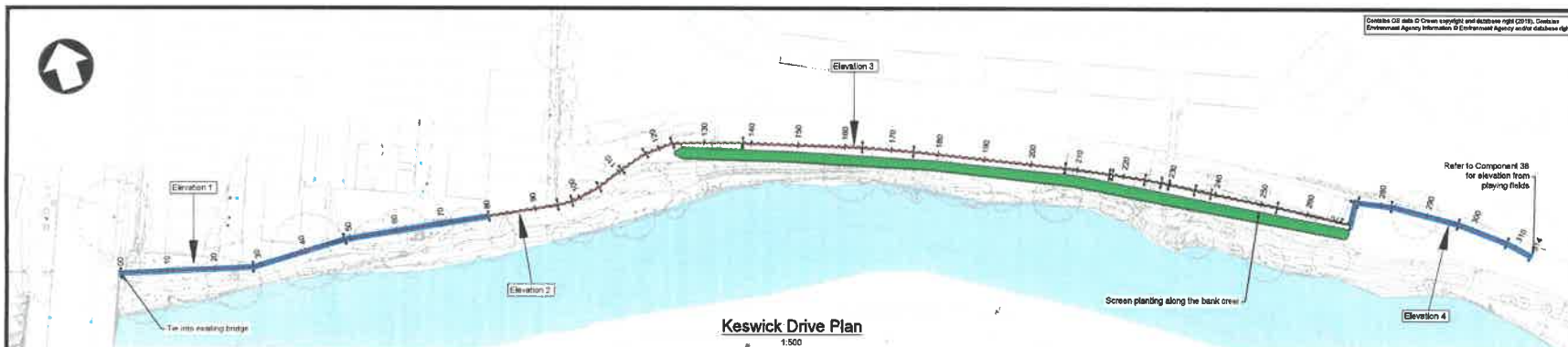
Photo 2



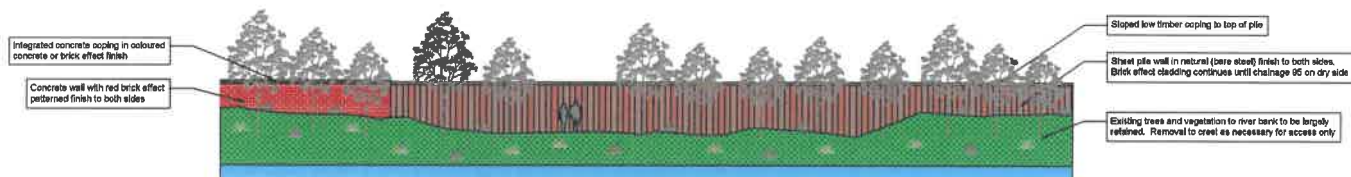
64789

Photo 3

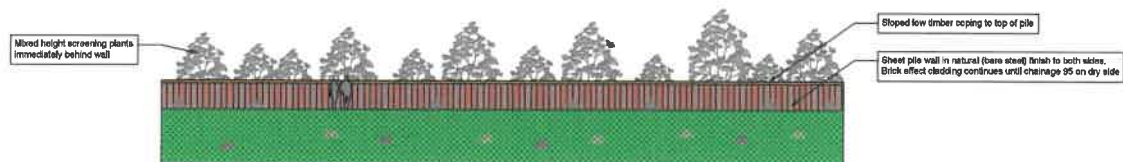




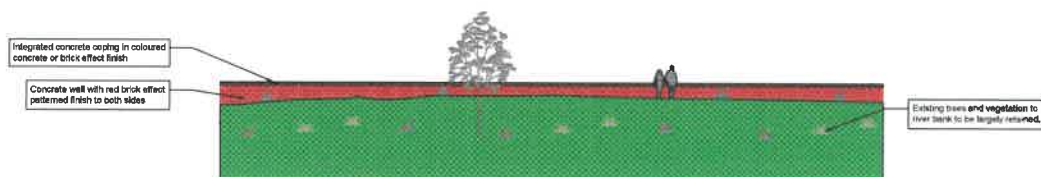
Elevation 1 - Wall to side of housing (Chainage 50 - 0)
1:150



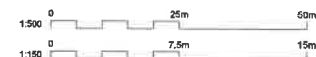
Elevation 2 - Change to Piled Wall (Chainage 70 - 120)
1:150



Elevation 3 - Wall from Rear of Properties on Keswick Drive (Chainage 200 - 150)
1:150



Elevation 4 - Low Wall from Opposite Bank (Chainage 270 - 310)
1:150



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Notes

- All dimensions are in metres unless stated otherwise.
- All levels are in metres Above Ordnance Datum (AOD) unless stated otherwise.
- This drawing is to communicate the design for planning purposes only and must not be used for construction.
- Existing trees shown as surveyed. Some tree clearance will be required. Additional screening to be provided where indicated. For full details of tree clearance and planting refer to document reference ENV0000389C-BMM-DZ-4KD-DR-1-0213392.
- Trees are shown where applicable to give an idea of potential tree cover. They are provided illustratively as outlines only for guidance.
- Background structures, including trees and fences are generally not shown except where immediately adjacent (such as screening plants or bridge abutments).
- People shown are for scaling purposes only - safe public access is not necessarily available.

Key to symbols

- Centreline of proposed defence
- Retaining wall
- Sheet pile
- Screen planting

Reference Drawings

Rev	Date	Drawn	Description	JS	-
P01	21/10/19	OC	Issued for Planning	JS	-
Rev	Date	Drawn	Description	Crtd	Appd

MOTT MACDONALD
33 Stamford Street
Albionham
WA14 1EB
United Kingdom
T: +44 (0)181 928 4000
W: www.mottmac.com

Environment Agency
Richard Fairclough House
Rusland Road
Warrington
WA4 1HG

Radcliffe & Redvales FRMS
Component 45 Keswick Drive
Planned Development Area
Elevations
Sheet 1 of 1

Designed	A.Burke	AB	Eng. check	J.Stirling	JS
Drawn	C.Chau	CC	Coordination	S.Lee	SL
Eng. check	J.Holmes	JH	Approved	J.Stirling	JS
MMD Project Number	408463		Scale at A1	As Shown	Security STD
Subsidiary Description	Fit for Information		Build Code	S2	
Project Code	ENV0000389C-BMM-DZ-4KD-DR-1		Revision	P01	

Non verified photomontage visualisations

Existing viewpoint from pin



View of proposed river defence



Example of removed trees. Localised tree clearance necessary but trees to be retained where possible on the sloped bank.

Google 3D view



- Sheet pile wall (bare finish) with timber coping to top. Localised planting to provide screening.
- Pre-cast L-wall with patterned concrete (red brick effect to match local stone-work) finish to both sides.

Images to illustrate design intent:



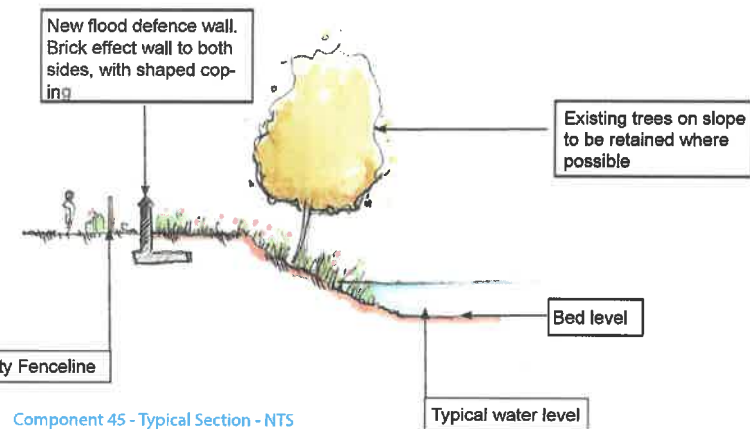
Brick effect patterned concrete wall



Shaped coloured concrete coping



Example sheet pile wall with timber coping



Component 45 - Typical Section - NTS

NOTE: Plans and Sections are not to scale

SOURCE: Images sourced online. No copyright permission.

Ward: Bury West - Church

Item 10

Applicant: Mr Paul Davidson

Location: 121 Lowercroft Road, Bury, BL8 3PA

Proposal: Change of use from dwellinghouse (Class C3) to residential care home (Class C2)

Application Ref: 64816/Full

Target Date: 03/01/2020

Recommendation: Approve with Conditions

Description

The application site relates to a 3 bedroomed, two storey detached residential dwelling. The immediate locality is residential in character with houses to the north on Lowercroft Road and Gisburn Drive, to the west is Bowland Close and opposite to the east is Wigglesworth Close, a cul de sac across Lowercroft Road. Directly to the south is a piece of vacant land, beyond which just over 50m away is the industrial and commercial development of Lowercroft Mills and Business Park.

The application property is split level and comprises a games room/basement at the ground or lower floor and 3 bedrooms, living area kitchen and bathroom facilities at 1st floor. The dwelling fronts Lowercroft Road but is set back into the site to accommodate a driveway and parking. To the rear is private garden/amenity space.

The application proposes a change of use from a dwellinghouse (Class C3) to a residential care home (Class C2).

The property would accommodate a maximum of 3 children who would be aged between 7-17 years old and in full time education. The applicant has clarified that there would be 2 full time members of staff present at all times, operating a 24 hour shift pattern.

The applicant has submitted a supporting statement which states that the maximum number of children registered to this property would be 3, (general experience of the applicant is that it would more likely be 2 children), and to which the applicant would be legally bound. Visitors to the site would be infrequent, with occasional social workers visits pre-arranged.

There would be no changes to the internal accommodation and there are no external alterations proposed.

Relevant Planning History

Not applicable

Publicity

Letters sent on 11/11/2019 to 45 properties on Wigglesworth Close, Lowercroft Mill, Lowercroft Road, Bowland Close, Gisburn Drive and Stainforth Close.

11 letters of objection received from Nos 1,4,9 Wigglesworth Close, 1,4,5,6,8,9 Bowland Close, 32 Sherwood Avenue, which raise the following issues:

- The property has very limited dedicated parking available - 4/5 cars at most.
- This seem substantially inadequate for the staff and likely visitors of a residential home.
- There is no safe parking on Lowercroft Road at this point or anywhere nearby.
- Would visitors/staff end up parking on Wigglesworth Close?
- I am not objecting to the principal of a care home at this location. If the home is as

described in the application, is well run and potential occupants do not cause any disruption to local residents, it should not be a problem. However, from experience, some children's care homes have been a magnet for outside elements. Sometimes residents have been disruptive, anti-social behaviour has been apparent. Consequently the Police have become frequent attenders due to residents missing from home & issues with residents/visitors.

- Lowercroft Road is a very busy accident black spot and the bus stop already causes a hazard;
- Dependant on occupancy, ambulance access is very restricted;
- Concerned about the security at the rear of our property;
- The property involved backs on to our garden and as we have young grandchildren who play in the garden we must ask for an assurance regarding their safety, bearing in mind the problems which may occur with the young people resident in the care home;
- This is a residential area and planning was not contested originally because planning was for a family dwelling. At the time local residents had concerns but the planning was not contested because of the residential use.
- There is excessive water emanating around property and bubbling out of drains in Lowercroft Road. Vehicles are not always able to avoid splashing pedestrians with water and dirt. Vulnerable people that need residential care would be exposed to this.
- Traffic fumes. The property leads directly on to Lowercroft Road. People under care will presumably be in this property more than an average family. There is also proposed development - homes are to be built on Dow Lane which will increase the traffic levels still further. Fumes from heavy goods vehicles using nearby warehouses
- proximity of the car repair garage. Vehicles going in and out and parked on regular basis. This is a working garage on a neighbouring property. A risk less than 30 yards away from vulnerable people.
- If this is intended for young people there are NO play areas within the bounds of this property
- No clubs or suitable locations for meeting friends etc in this location;
- Whitehead Lodges are in close proximity and may be a source of danger for vulnerable children
- Already concerned about youths and the recent damages to cars, fireworks being let off at livestock on Whitehead Lodges & the vandalism of a local property in the last year. I am very concerned that this will escalate
- It is not really the appropriate area for this purpose as the houses are valued at £350,000+ and hence not where one would expect to find such premises
- Drug dealers could target the property;
- There are a lot of retirees in the vicinity who enjoy a quiet life and fear this arrangement would be compromised if the application were passed;
- Feel there is a complete lack of respect for existing residents.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection

Environmental Health - Pollution Control - No comments to make

Children's Services - No objection. The applicant should be made aware of the premises to the south of the site on Lowercroft Road and a premises 0.9 miles away operating as a child care facility, for safeguarding purposes. Satisfied with the regulatory standards of OFSTED and commissioning partners to the management and future home operation.

Waste Management - No comments received.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

H2/1 The Form of New Residential Development

H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
CF3	Social Services
CF3/1	Residential Care Homes and Nursing Homes
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

Issues and Analysis

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

Principle

CF3 - Social services considers favourably proposals for the provision of new, and the improvement of, existing facilities including children and young people, encouraged to live in the local community rather than in large institutions. Support for new and improved services is supported providing that there is no conflict with existing residential amenity and the environment.

CF3/1 - Residential Care Homes and Nursing Homes should be located in residential areas and will be permitted where they do not conflict with the amenity of adjoining areas

The application proposes to provide residential care accommodation for children within a residential community setting, providing a positive environment for occupiers. The property would not require any alterations or adaptations to facilitate the use and occupation of the property and living habits would be commensurate with that of a family home including garden amenity space.

The size of the house and numbers of bedrooms is such that the property is only able to accommodate a limited number of children at one time - up to 3 as a maximum. OFSTED and Childrens Services would also have a set of criteria for standards of accommodation which would needed to be adhered to for children in care.

The applicant and the company is a Registered Provider and would be regularly inspected by OFSTED. In addition, an independent body inspects the premises monthly and the facility is also visited and inspected by the LPA's Children's Services Department.

The LPA's Childrens Services Section have been consulted on the application and there is no objection to the proposal. The Section is satisfied that the regulations imposed by OFSTED and commissioning partners would control the management and operation of the home.

The only issue raised by Children's Services is the proximity of a similar care home 100m away to the south on Lowercroft Road and a premises some 0.9 miles away which could have the potential to influence behaviour of the children in care. This would be a matter for the applicant and Regulatory/Social Services Authorities to manage and control and not a matter for planning as it cannot be presumed or expected that any form of anti social behaviour would result from the location of the new facility.

It is therefore considered that the proposed use would make a positive contribution to the care and protection of children/ young adults residing at the premises and as such is welcomed. The principle of the proposal would therefore satisfy UDP Policies CF3 and CF3/1.

Scale and intensification of use

The size of the proposed household for 3 children and 2 adults would not go beyond what would be expected of a family of 5 residing in a 3 bed property. Similarly, the movements and day to day comings and goings of the occupiers of the property would also not necessarily go beyond what would be likely of a family unit with children, who would go to school on a daily basis and attend activities in the evening and at weekends.

In terms of staff numbers and shift patterns, the arrangement to provide 2 full time staff at the property would not be dissimilar to the normal comings and goings of two working parents, for example, either working from home or at a work place, or parents carrying out daily activities and routines.

For all intents and purposes, the scale of the development and the daily routines of the occupiers would operate the same as a family home and it is considered that the proposed use would change the character of the residential area or intensify activities to the site beyond that of a 'typical' household.

It is therefore considered that the principle and the scale of the proposed change of use would not have an adverse or detrimental impact on the character or the amenity of the surrounding area or adjacent properties and would comply with UDP Policies CF3 and CF3/1.

A number of uses fall under the umbrella of Use Class C2 (residential institutions), including a hospital or nursing home, residential school, college or training centre. The size of the property and the existing parking and access may be sub standard for such other C2 Uses and as such it is considered reasonable to control the use for a child care facility only and for a maximum of 3 children at any one time. Appropriate conditions to this effect would therefore be included.

Permitted development - fall back position

There is Case Law which has questioned whether a development of a very similar character and scale to this application actually needed planning permission - ie did the change of use from a C3 use as a dwellinghouse to a C2 use for residential accommodation with provision of care to people in need of care - or if in fact the development would be 'permitted change' under The Town and Country Planning (Use Classes) Order 1987 as amended.

The relevant judgement in this case was North Devon District Council v. First Secretary of State (2003) EWHC 157 (admin).

In the case subject to the appeal, the applicant (North Devon S Ltd) used a house to provide residential care for 2 children. The house comprised of an office, individual bedrooms and kitchen and bathroom facilities. Two non resident staff were on duty at all times and the house was under supervision of 6/7 adult staff attending on a rota basis. The applicant applied for a certificate of lawful use which was refused by the Council. The applicant appealed the decision and in the appeal decision notice, the Inspector determined that a certificate of lawful use was applicable because it was concluded that no material change of use had occurred which would require planning permission.

The Council appealed that decision.

Although it was ruled that for a residential use for up to 6 persons living as a single household where care is provided to fall under a Class C3 use, the caring staff must be permanently resident and not on a rota/shift basis, it was determined that *no material change of use had taken place* due to the fact that for all intents and purposes, the 'care home' would operate within the parameters of a family sized home and function as a family household would. It was a question of fact and degree of that change in scale and character which should be considered. The appeal was upheld.

Section 55 of the Town and Country Planning Act as amended, provides that only material changes of use would constitute development and therefore require planning permission. A change of use of land or buildings from one classification of use to another use within the terms of the Use Class Order 1987 is dependant upon whether the change would be considered 'material' and therefore development.

In this application, the care element would be provided by staff working on a shift pattern basis and as such, the use would fall into Class C2, requiring a change of use.

However, in following the same process as above, and in assessment of the character, scale and intensification, the following factors of this application are considered:

- the size of the household for 3 children and 2 adults would not go beyond what would be expected of a family unit in a 3 bed house;
- the normal comings and goings would not go beyond what would be expected of a family unit - eg children going to school, rotation of staff replicating working parents;
- visitors would not be beyond normally expected of a family household.
- there would be no medical needs which would require additional visitors to the site

As such, it is considered that for a residence of up to 3 children with 2 carers on a rota basis, no more than 5 people in total, would fall within Use Class C2 - provision of residential accommodation and care to people in need of care - and it would have the ability to be a C3 use with minor changes in its operation and to not to constitute a material change of use and therefore not amount to development under Section 55 of the Town and Country Planning Act 1990 as amended.

Layout - There would be no alterations to the external appearance of the property and no changes to the internal arrangements.

The dwelling has a relatively large driveway which would be used for parking by staff and visitors with space for 4 cars. Bins are currently stored at the front and there would be no requirement for any additional bin storage provision beyond that provided given the numbers of proposed future occupiers. At the rear is a garden area and amenity space which would be similarly utilised by the residents as it would a dwelling for a family household.

Internally, the layout would remain as existing, with 3 bedrooms, bathroom facilities, living areas and kitchen provided on the upper floor and a basement/games room below.

The applicant states that there would be 2 full time carers on site at all times. The proposed internal layout does not illustrate any sleeping quarters for staff but in the event of 2 children only residing at the property, the 3rd bedroom would be utilised by staff. Should there be 3 children in residence, there is scope for the basement/part of the basement to be converted to a bedroom. Conversion of an internal space to living/bedroom accommodation does not require planning permission and could be carried out at any time and by existing or future occupiers if its use continued as a C3 dwelling.

The proposed condition to limit the number of staff and children residing in the property at one time would ensure there would be no increase in numbers of occupants at the property and therefore no intensification of use of the C2 care facility would result in the conversion of living spaces.

It is therefore considered that there would be no detrimental impact on the character of the residential use or appearance of the existing dwelling, which would for all intents and purposes, continue to function as any other dwelling in the area, and no change or impact on the character of the residential setting in the locality.

As such, it is considered that the proposal would comply with UDP Policies EN1/2, CF3 and CF3/1.

Impact on residential amenity - As discussed in the above sections, the character and the

scale of the use would be consistent with that of a 'normal' family household occupying a 3 bedroomed house.

The character of a family home and general day to day activities of its occupiers can attract a certain number of comings and goings, from family/friends visiting or deliveries made on regular or frequent basis. Occupied by a similar sized household, it is not expected that the proposed use would generate anymore disturbances in terms of visits or disruptions to the site than can currently exist.

The applicant states that they would be registered and legally bound to accommodate a maximum of 3 children and this includes any emergency cases. Visitors would be consistent with usual parameters of family living and whilst there would be some visits by social workers, these would be bi-monthly and pre arranged.

Objections which have been received by some local residents allude to the 'type' of children the home could accommodate and the potential disruption or risk they could pose to the area. Just because a child is in need of care should not automatically insinuate or suggest that they would be of an anti social disposition or bring any disorder to an area.

The applicant is a registered and experienced Provider and regularly undergoes checks and inspections by OFSTED and commissioning partners to ensure the care home is run in accordance with prescribed standards. Living within a community environment and providing the children with a 'normal' lifestyle is also one of the reasons for accommodating children within a house and residential environment, and it is therefore in the interest of the applicant that they integrate with neighbours and the community rather than be a cause of conflict.

It would also be in the best interests of the applicant to ensure that the children were able to live as part of the local community, functioning as a 'normal household' to bring stability and to be able to live as part of the community.

It is therefore considered that the proposal would not conflict with the character of the area or cause disruption and an adverse impact on the amenity of local residents. The proposal would therefore comply with UDP Policies CF3, CF3/1 and EN1/2.

Highways issues

The property has an existing access and driveway off Lowercroft Road and there are no proposals to change this arrangement as it currently exists.

The proposed plan show that the drive could accommodate parking for 2 cars. In reality, there is ample space for up to 4 vehicles.

As a 3 bedroomed dwelling, the property could easily be occupied by 3 car owners, plus any additional trips to the site by visitors, friends/family and from deliveries or any servicing requirements associated with day to day living.

The proposed use would be occupied by 2 members of staff whose comings and goings would be comparable to that of parents carrying out daily duties or going to and from work. The applicant has clarified that 2 staff would work a 24 hours shift pattern, resulting in only one change over every 24 hours and as such traffic generation in staff turn around numbers would not be significant.

There would be other visitors to the property from social workers and such like, but these would be infrequent and at pre-arranged times when parking would be managed and made available on the drive. There would also be the usual servicing vehicles or potentially deliveries made to the site but this would be typical of everyday life.

The care facility would not cater for children with physical disabilities and as such special medical attention and visits by medical staff would not be required.

Lowercroft Road has a 30 mph speed limit and there are parking restrictions further down Lowercroft Road. There is unrestricted parking directly outside the property but the use

would not generate any more traffic than could currently be experienced at the property and no reason that the road would be parked on more than could happen now.

It is therefore considered that the proposed development would not significantly increase traffic to the area or generate levels of parking beyond what would reasonably be expected of a family dwelling of this size. The proposal is therefore considered to comply with UDP Policies EN1/2, CF3/1, HT2/4 and HT6/2.

Response to objectors

- The future occupiers would be no worse affected from traffic fumes or surface water run-off anymore than the other residents in the area.
- There is no assumption that future occupiers would be more drawn to the reservoir/Whitehead Lodges than any other young person.
- The home would operate as any other family type dwelling and the location of facilities would be no worse than for other residents in the area.
- The objections relating to anti social behaviour, safety, traffic, access and parking 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: Approve with Conditions

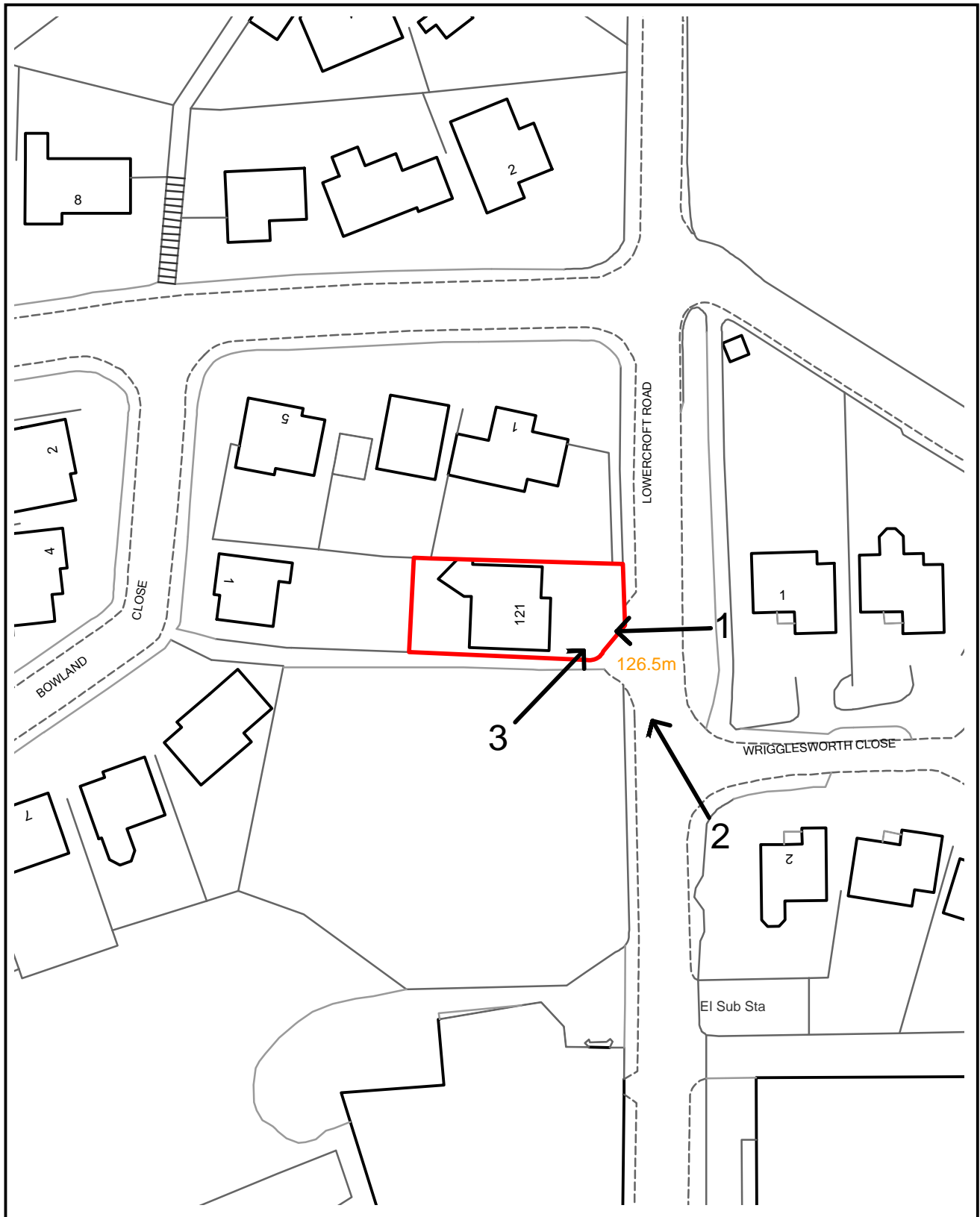
Conditions/ Reasons

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 - Existing and proposed floor plans and site location plan 121/LR/COU - 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 premises to which this approval relates shall be used for residential accommodation and care for people in need of care and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).
Reason: To ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which would cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, CF3 - Social Services, CF3/1 - Residential Care Homes and Nursing Homes, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.
4. There shall be no more than 3 children accommodated at the property hereby approved and no more than 2 members of staff on shift duty at any one time.
Reason. To ensure the appropriate provision of facilities and standards of

accommodation are provided for future occupiers and to ensure the use of the property is not over intensified to unacceptable levels which would incur additional activities and disturbances to local residents beyond that which would be accepted for a residential dwelling in a residential area pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, CF3 - Social Services and CF3/1 - Residential Care Homes and Nursing Homes.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64816

**ADDRESS: 121 Lowercroft Road
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64816

Photo 1



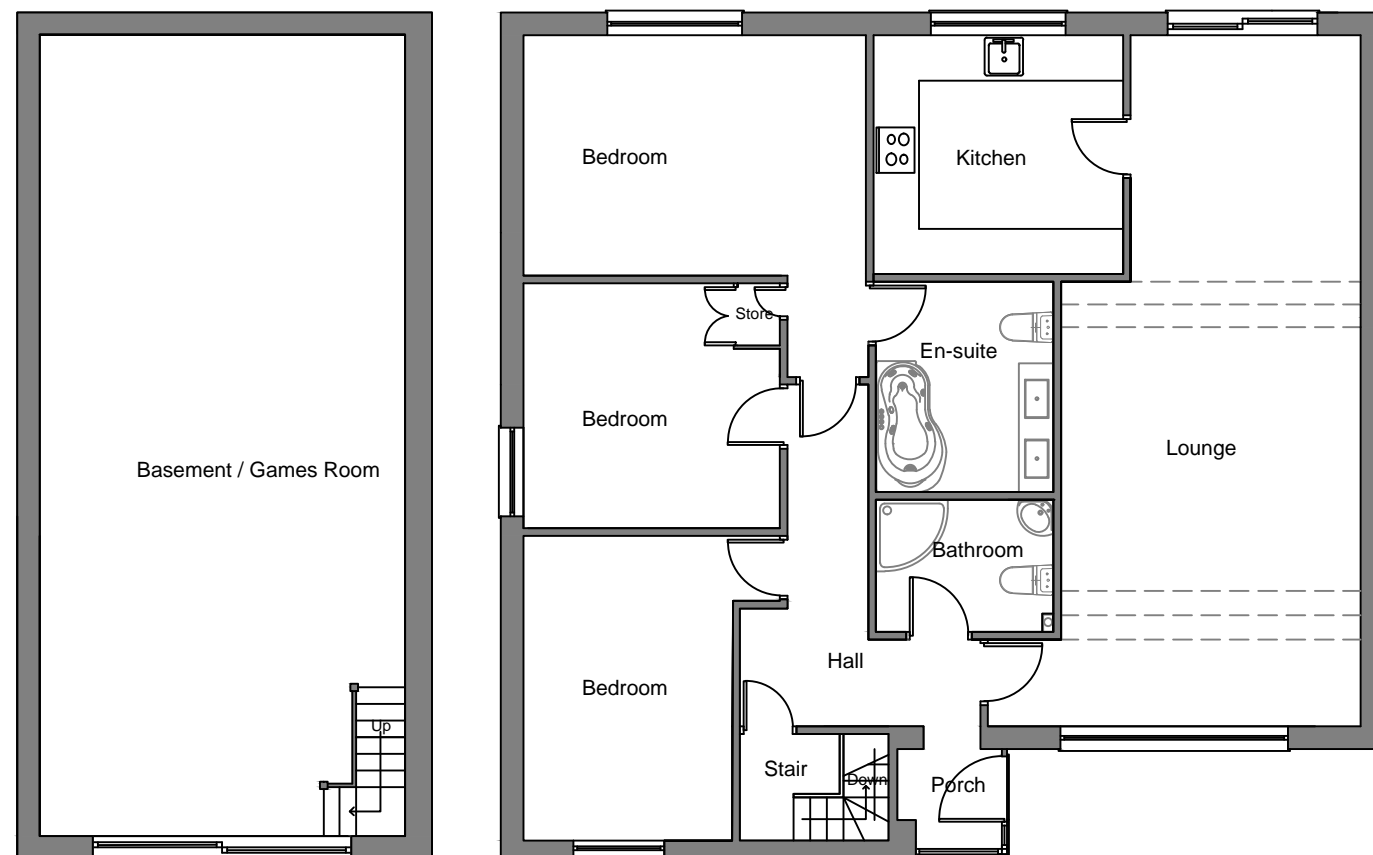
Photo 2



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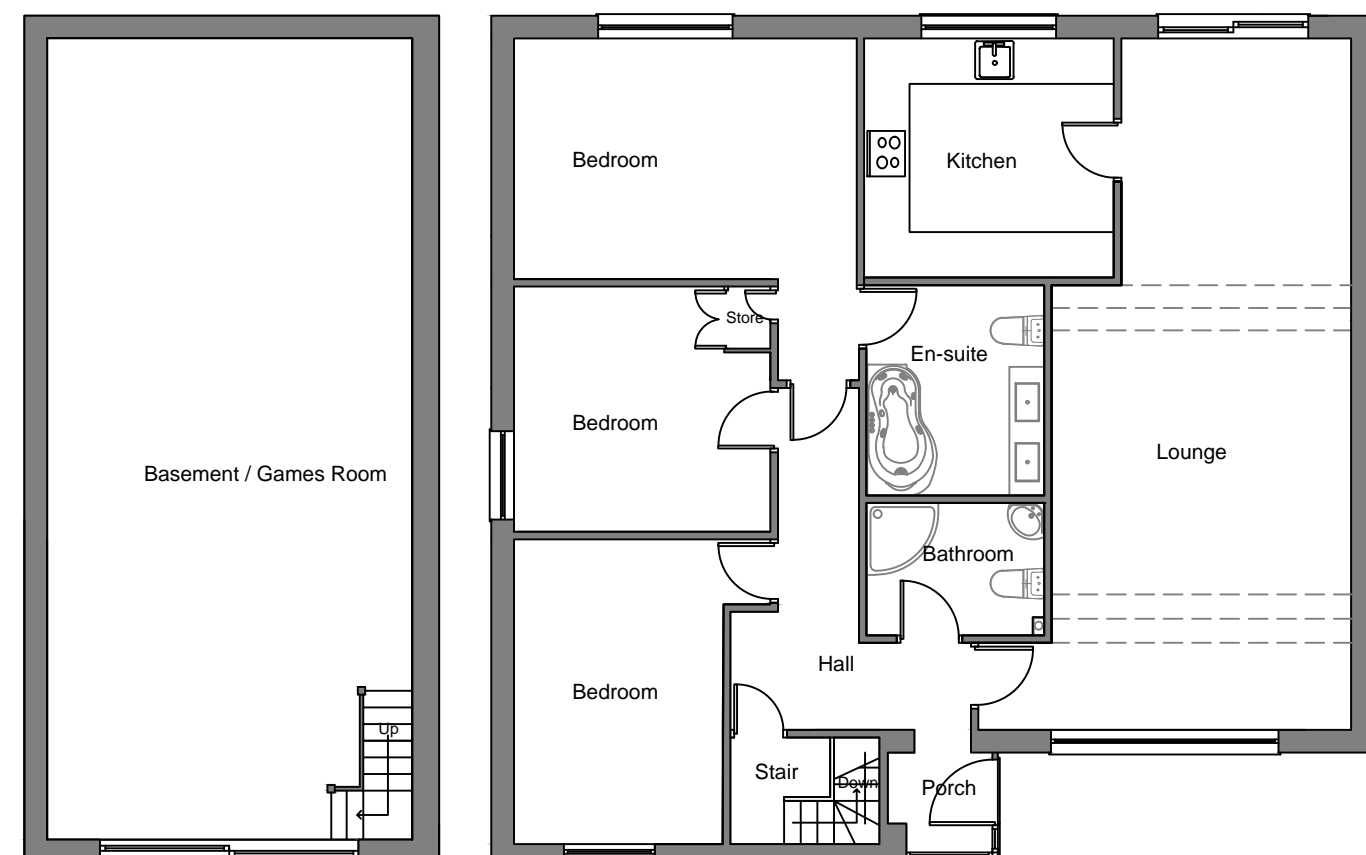
Photo 3





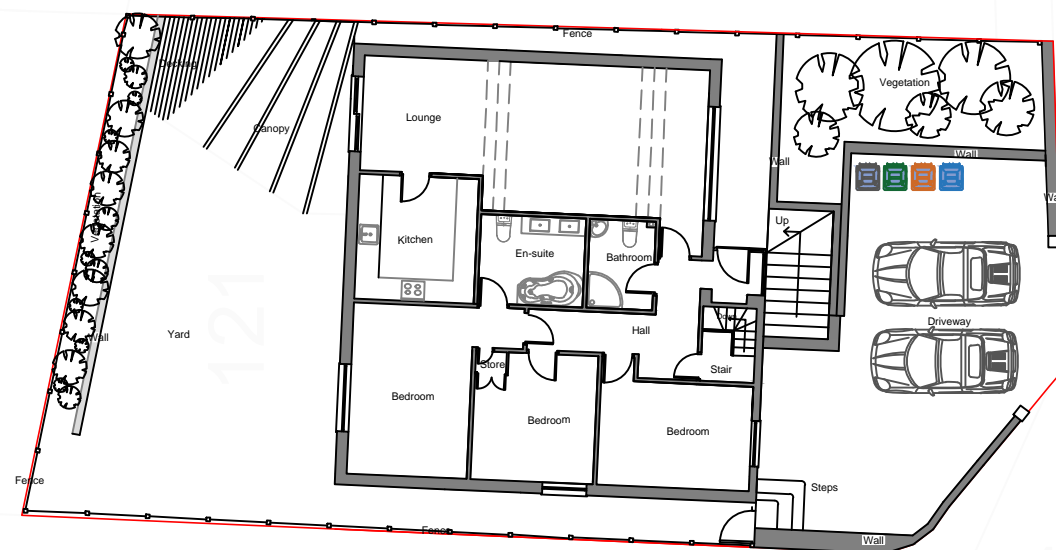
Basement Ground Floor

Existing Plans @ scale 1:100



Basement Ground Floor

Proposed Plans @ scale 1:100



Site Location plan @ 1:200

DO NOT SCALE OFF THIS DRAWING

Revision:	Date:	By:	Details of Revision:
client Paul Davidson			
project 121 Lowercroft Road, Bury, BL8 3GQ			
project no 121/LR/COU	drawing no Existing & proposed floor plans & site location plan.		rev
description - Change of Use from C3 to C2.			
scale 1:100 & 1:200 @ A3	date drawn 01.11.2019	drawn by MH	authorised by MH
purpose of issue planning <input checked="" type="radio"/> building regs <input type="radio"/> tender <input type="radio"/> comment <input checked="" type="radio"/> approval <input checked="" type="radio"/> construction <input type="radio"/>			