

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>27 June 2023</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **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.** 69622
- Location:** 47 Fairfield Drive, Bury, BL9 7SL  
**Proposal:** Demolition of existing conservatory and erection of two storey side extension  
**Recommendation:** Approve with Conditions **Site Visit:** N
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- 02 Township Forum - Ward:** Whitefield + Unsworth - Unsworth **App No.** 69361
- Location:** Spurr House, Pole Lane, Bury, BL9 8QL  
**Proposal:** Conversion of short stay residential home (Class C2) to a pupil referral unit (Class F1) for educational use; Single storey extensions and associated landscaping, additional parking and external works  
**Recommendation:** Approve with Conditions **Site Visit:** Y
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- 03 Township Forum - Ward:** Radcliffe - East **App No.** 68998
- Location:** Land at Green Street, Radcliffe  
**Proposal:** Construction of new mixed-use development comprising 132 apartments, bar, commercial and office spaces with associated landscaping and car parking.  
**Recommendation:** Approve with Conditions **Site Visit:** Y
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- 04 Township Forum - Ward:** Ramsbottom + Tottington - Tottington **App No.** 69555
- Location:** Kirklees Valley Farm, Kirklees Street, Tottington, Bury, BL8 3NY  
**Proposal:** Erection of single storey dwelling to replace existing dwelling  
**Recommendation:** Approve with Conditions **Site Visit:** N
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- 05 Township Forum - Ward:** Bury East - Moorside **App No.** 69079
- Location:** Land off Parkinson Street, Bury, BL9 6NY  
**Proposal:** Demolition of existing buildings and erection of 84no. dwellings with associated parking and landscaping; formation of a car park in association with the existing recreation field.  
**Recommendation:** Minded to Approve **Site Visit:** Y
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- 06 Township Forum - Ward:** Bury East - Redvales **App No.** 68809
- Location:** Land to rear of Wells Street, Bury, BL9 0TU  
**Proposal:** Outline application for erection of 3 no. dwellings and associated parking (all matters reserved except access)  
**Recommendation:** Approve with Conditions **Site Visit:** N
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- 07 Township Forum - Ward:** Bury West - West **App No.** 69612
- Location:** 21 Orpington Drive, Bury, BL8 2PJ  
**Proposal:** Change of use from residential dwelling (Class C3) to children's residential

care home (Class C2)  
**Recommendation:** Approve with Conditions

**Site Visit:** N

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**08 Township Forum - Ward:** Prestwich - Holyrood

**App No.** 69337

**Location:** 82 Bury Old Road, Whitefield, Manchester, M45 6TQ

**Proposal:** Variation of condition no. 1 (opening hours) of prior approval 67061 to amend the opening hours from 07.00 to 16.00 (Mon-Fri) and 09.00 to 16.00 (Sat-Sun) to 08.00 to 23.00 (Mon-Fri) and 09.00 to 23.00 (Sat-Sun)

**Recommendation:** Approve with Conditions

**Site Visit:** N

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