

Title	Planning Applications
To:	Planning Control Committee
On:	19 March 2024
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, I have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based

upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Development Manager

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

- 01 Township Forum - Ward:** Ramsbottom + Tottington - Tottington **App No.** 69530
- Location:** Walshaw Hall, Bradshaw Road, Walshaw, Tottington, Bury, BL8 3PJ
Proposal: Conversion of care home (Class C2) to 16 no. residential apartments (Class C3) with associated facilities and internal and external alterations
Recommendation: Minded to Approve **Site Visit:** N
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- 02 Township Forum - Ward:** Prestwich - Sedgley **App No.** 70070
- Location:** Freisner Day Nursery, Earl Street, Prestwich, Manchester, M25 1GQ
Proposal: Change of use from nursery building to 3 no. dwellings with associated car parking & external works
Recommendation: Approve with Conditions **Site Visit:** N
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- 03 Township Forum - Ward:** Prestwich - St Mary's **App No.** 70083
- Location:** Land adjacent to 11 Walter Street, Prestwich, Manchester, M25 3HJ
Proposal: Erection of 1 no. dwelling
Recommendation: Approve with Conditions **Site Visit:** N
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- 04 Township Forum - Ward:** Bury West - Elton **App No.** 70343
- Location:** 147-155 Walshaw Road, Bury, BL8 1NH
Proposal: Change of use from residential care home (Class C2) to 13 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works
Recommendation: Approve with Conditions **Site Visit:** N
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- 05 Township Forum - Ward:** Bury West - Elton **App No.** 70354
- Location:** 388 Tottington Road, Bury, BL8 1TU
Proposal: Change of use from residential care home (Class C2) to 16 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works
Recommendation: Approve with Conditions **Site Visit:** N
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- 06 Township Forum - Ward:** Bury East - Moorside **App No.** 70439
- Location:** 193 Walmersley Road, Bury, BL9 5DF
Proposal: Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front and rear dormers, car parking provision, and associated works
Recommendation: Approve with Conditions **Site Visit:** N
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