

Title	Planning Applications
To:	Planning Control Committee
On:	29 July 2014
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.

Development Manager

Background Documents

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

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

01	Township Forum - Ward: Radcliffe - North	App No. 57224
	Location: Land adjacent to 41 Station Close, Radcliffe, Manchester, M26 4GW	
	Proposal: Erection of 11 no. detached dwellings with access road and demolition of existing bridge structure (resubmission)	
	Recommendation: Minded to Approve	Site Visit: N
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02	Township Forum - Ward: Radcliffe - East	App No. 57459
	Location: Land at Heap Street, Radcliffe, Manchester M26 2SZ	
	Proposal: Erection of 2 no.dwellings	
	Recommendation: Minded to Approve	Site Visit: N
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03	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 57512
	Location: 2 Market Place (Including 57 & 59 Bridge Street), Ramsbottom, Bury, BL0 9HT	
	Proposal: Change of use from shop (Class A1) to professional estates facilities and property letting agents (Class A2) ground floor and basement only	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
04	Township Forum - Ward: Prestwich - Sedgley	App No. 57526
	Location: 1 Park Hill Place, (rear of 12 Park Hill). Bury Old Road, Prestwich, Manchester, M25 0FX	
	Proposal: Change of use to office (Class B1a) with retention of storage (Class B8) at ground floor	
	Recommendation: Approve with Conditions	Site Visit: N
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05	Township Forum - Ward: Prestwich - Sedgley	App No. 57542
	Location: 91 Windsor Road, Prestwich, Manchester, M25 0DB	
	Proposal: Change of use from office to coffee shop (Class A3) with external seating and new shop front	
	Recommendation: Approve with Conditions	Site Visit: N
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06	Township Forum - Ward: Radcliffe - North	App No. 57571
	Location: 87 Church Street, Ainsworth, Bolton, BL2 5RD	
	Proposal: Replacement dwelling (amended scheme)	

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

07 Township Forum - Ward: Whitefield + Unsworth - Pilkington Park **App No.** 57586

Location: Magnum Whiteline 184-188 Bury New Road, Whitefield, Manchester, M45 6QF

Proposal: Two storey extension at side; Widening of access road at side and change of use of waste land at rear to form car park

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

08 Township Forum - Ward: Bury East **App No.** 57636

Location: 26 Silver Street, Bury, BL9 0DH

Proposal: Change of use of ground floor and part of first floor to restaurant (Class C3); Subdivision of building to form offices at ground, first and second floors (Class B1); New entrances formed on Bank Street and Silver Street; Internal alterations

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

09 Township Forum - Ward: Bury East **App No.** 57645

Location: 26 Silver Street, Bury, BL9 0DH

Proposal: Listed building consent for change of use of ground floor and part of first floor to restaurant (Class C3), subdivision of building to form offices at ground, first and second floors (Class B1), new entrances formed on Bank Street and Silver Street and internal alterations

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

10 Township Forum - Ward: Bury East - Moorside **App No.** 57651

Location: Tesco Stores Limited, Woodfield Retail Park, Peel Way, Bury, BL9 5BY

Proposal: Extension at side to create a dot com/click and collect area with canopy (resubmission)

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

Ward: Radcliffe - North

Item 01

Applicant: Wellspace Ltd

Location: Land adjacent to 41 Station Close, Radcliffe, Manchester, M26 4GW

Proposal: Erection of 11 no. detached dwellings with access road and demolition of existing bridge structure (resubmission)

Application Ref: 57224/Full

Target Date: 01/07/2014

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for recreation provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan. 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 application site is a vacant piece of land which was last used as a former railway line and connects to residential development on Station Close and extends to Leander Close. The site is steeply banked with approximately 2 -3 metres difference between the middle of the site and the boundary. The site is grassed and there is a stone bridge over the former railway line, which carries a public footpath that connects Leander Close and Stanley Road. There are two vehicular accesses to the site. One from Leander Close and the second is adjacent to the Railway Hotel pub on Ainsworth Road.

Permission was granted by Planning Control Committee in December 2013 for the infilling of the site with inert material to create a level site, with a view to facilitate residential development.

There are residential dwellings located to the north, south and east of the application site and open land to the west.

The proposed development involves the erection of 11 detached dwellings and the demolition of the bridge structure. The proposed dwellings would be constructed from render with timber cladding and a tile roof and would be located along the southern part of the site. The site would be accessed solely from Station Close with bollards preventing any vehicular access to Leander Close and beyond.

Relevant Planning History

56308 - Erection of 12 no. detached dwellings with access road and demolition of existing bridge structure at land at 41 Station Close, Radcliffe. Withdrawn - 12 August 2013.

56712 - Importation and reuse of inert material to create a level site to facilitate development at land adjacent to Station Close, Radcliffe. Approved with conditions - 17 December 2013.

Publicity

The neighbouring properties were notified by means of a letter on 1 April and a press notice was published in the Bury Times on 10 April. Site notices were posted on 9 April 2014.

5 letters have been received from 11, 20, 22 Northlands and 39 Station Close, which have raised the following issues:

- Object to the proposal to re-open Leander Close and connect to Station Close and

Salisbury Road, which would increase the level of traffic on Northlands, which is extremely busy at present.

- Motorists speed along Northlands currently, despite the speed restrictions, which have been recently implemented.
- No objection to the construction of new homes, but do object to the proposed access, which would create a cut-through.
- The access should be from Ainsworth Road and should not connect to Salisbury Road and Northlands.

The neighbouring properties were notified of revised plans by means of a letter on 27 June 2014. 2 letters have been received from the occupiers of 39 Station Close, which have raised the following issues:

- Would prefer not to have a cut through onto Salisbury Road.
- Would prefer no building to take place on the land.
- The revised plans indicate that access to the development would be taken solely from Station Close. The road is not wide enough to take the additional traffic.
- There are already issues on Station Close at school drop off and pick up time and more dwellings would add to the problem.
- The increased traffic would be a nuisance.

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

Consultations

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

Drainage Section - No objections, subject to the inclusion of conditions relating to SuDs.

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

Waste Management - No objections.

Environment Agency - No objections, subject to the inclusion of conditions relating to contaminated land.

Design for security - No objections.

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

GM Fire Service - Comments awaited.

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

Public Rights of Way Officer - Comments awaited.

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
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
RT2/2	Recreation Provision in New Housing Development
RT3/3	Access to the Countryside
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT6/3	Cycle Routes
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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 - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work is in progress on Bury's Local Plan - 'The Core Strategy', which will bring forward a new statutory housing target. It is currently proposed that the new housing target in the Local Plan should be set at 400 dwellings per annum, which is currently timetabled to be adopted in 2014.

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

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

The site is located within the urban area and in a residential area. As such, the proposed development would not conflict with the surrounding land uses and would be located in a sustainable location with good access to public transport and services. The site contains an existing building and as such, would be 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 dwellings would be two storeys in height with rooms in the roofspace and would be located in a linear development along the southern boundary. The proposed dwellings would be modern in appearance with floor to ceiling glazing. The proposed dwellings would be constructed from render with timber panels and a tile roof, which would add visual interest to the elevations.

The proposed dwellings would all have a rear garden, which would provide an acceptable level of private amenity space. There would be space within the rear gardens for bin storage. The proposed boundary treatments would be 1.8 metre high timber fence, which would match the existing fencing in the locality. Therefore, the proposed development 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 13 metres between the proposed bathroom window of plot 10 and the rear elevation of No. 106 Stanley Road, which would be acceptable as it is a non habitable room. There would be 21 metres between the bedroom window in plot 10 and the rear elevation of No 106 Stanley Road, which would be in excess of the minimum aspect standard normally sought.

There would be 16.9 metres between the front elevation of plot 10 (which would be blank)

and the rear elevation of No. 104 Stanley Road. The proposed opening to the bedroom would be located within the gable elevation on plot 10 and as such, there would be no adverse impact upon the amenity of the neighbouring properties.

There would be in excess of 20 metres between the remaining plots and the existing dwellings, which would be in accordance with the aspect standards.

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

Ecology - A bat survey was submitted with the application, which recommended that an emergence survey should be carried out. The emergence survey has been carried out and the report will be submitted shortly. Further comments from GM Ecology Unit will be reported in the Supplementary Report.

A wildlife corridor passes through the site and it is envisaged that with suitable planting, the wildlife corridor would be maintained. With the exception of the bat survey, GM Ecology Unit has no objections to the development, subject to the inclusion of conditions relating to nesting birds, Japanese Knotweed and a landscape management plan. Therefore, the proposed development would be in accordance with Policy EN6 of the Bury Unitary Development Plan.

Highways issues - Revised plans have been received, which have amended the access arrangements for the proposed development. The proposed dwellings would be accessed from an access road, which would connect to Station Close. Bollards would be placed at the end of the proposed access to restrict access to Leander Close and beyond. A turning head would be provided and there would be acceptable levels of visibility at the junction with Ainsworth Road. The Traffic Section has no objections in principle and further comments 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 EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum number of parking spaces is 3 spaces per 4 bed dwellings, which equates to a maximum of 33 spaces.

The proposed development would provide 22 spaces. The site has good access to public transport and there would be space to park on road. As such, the level of parking provision in this instance would be acceptable. The proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan.

Planning Obligations - A contribution for recreation provision would be required of £41,056.00 in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1. The agreement would allow for public access along the cycle way in the event of the access road not being adopted.

This will be secured through a Section 106 agreement and the applicant has no objections to these provisions.

Response to objectors

The access has been amended and there will be no vehicular access between the application site and Leander Close/Salisbury Road/Northlands, except for emergency access. The Traffic Section have no objections to the proposed development, subject to the inclusion of conditions.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to

identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered P1006 02/97A, 1006 01/99A, P1006 02/99B, P1006 02/152, P1006 02/150B, P1006 02/200A 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. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. 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 11 - 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 11 - Conserving and enhancing the natural environment.
6. Any soil or soil forming materials brought to site for use in garden areas, soft

landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) 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 11 - Conserving and enhancing the natural environment.

7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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 11 - Conserving and enhancing the natural environment.

8. No development shall commence unless or until a scheme of foul and surface water drainage, including an assessment of the potential SuDS options with appropriate calculations to support the chosen solution, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the occupation of the building hereby approved.

Reason: To ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

9. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year.

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.

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

Reason. To ensure that the site is free from Japanese Knotweed and Himalayan

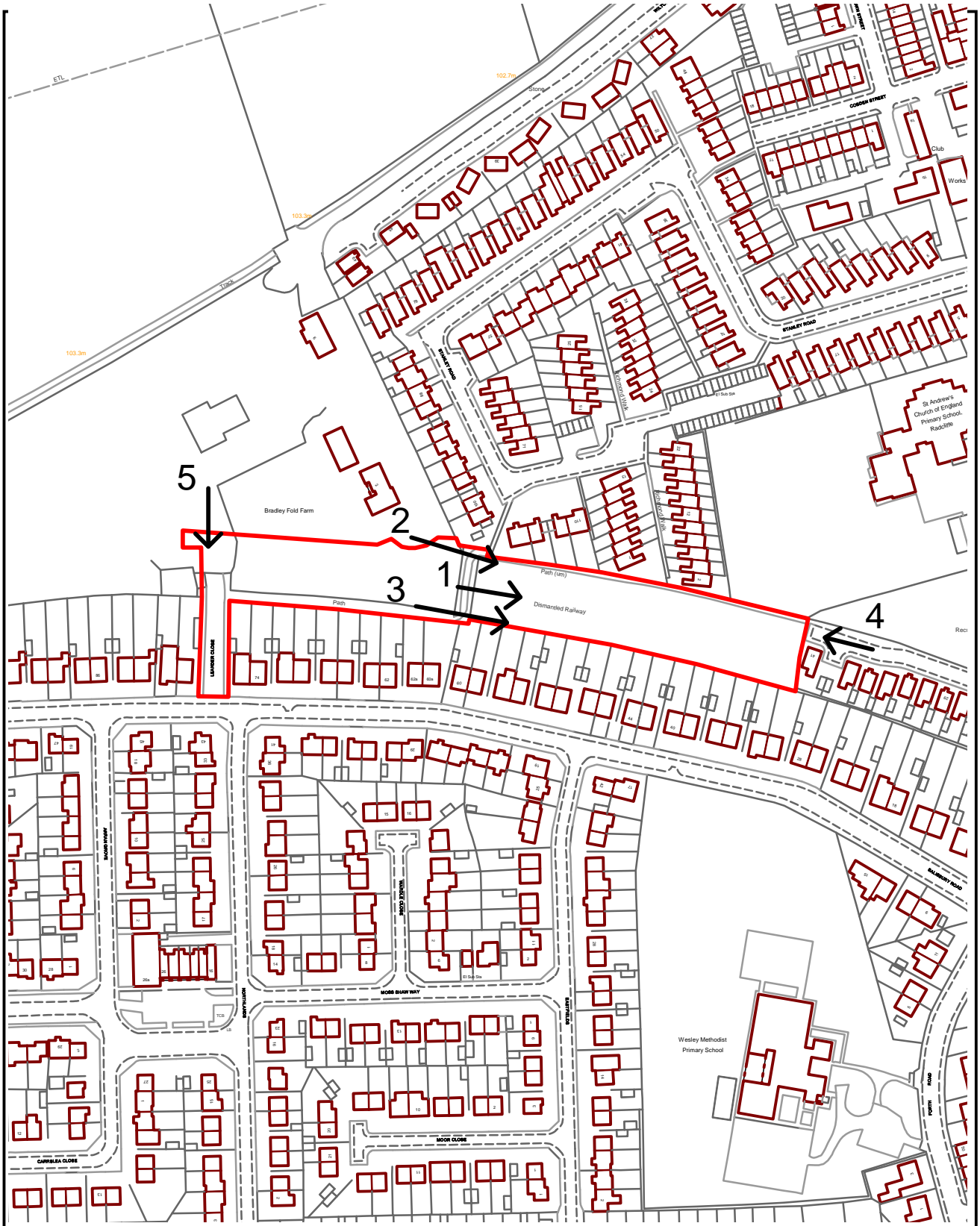
Balsam in the interest of Policy EN9 - Landscape of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

11. A landscape management scheme, including elements to mitigate for the loss of semi-natural and bird nesting habitat, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; 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.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

12. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57224

ADDRESS: Land adj 41 Station Close
Radcliffe



Planning, Environmental and Regulatory Services 1:1250

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Photo 1



Photo 2



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Photo 3



Photo 4



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Photo 5



PROPOSED SITE LAYOUT

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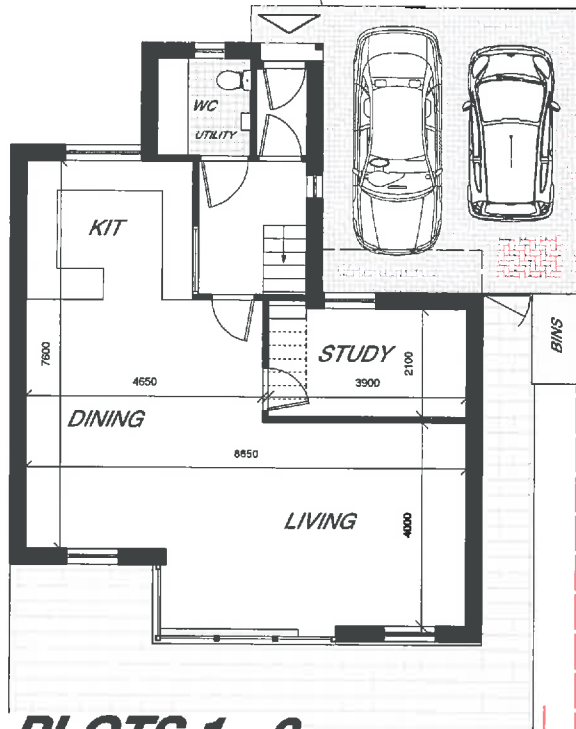


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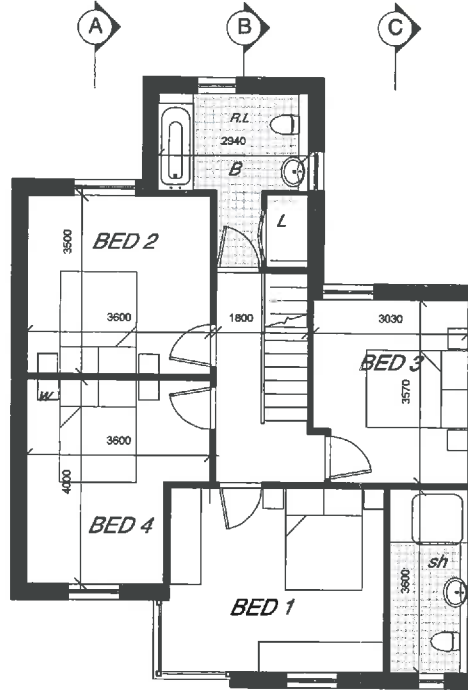


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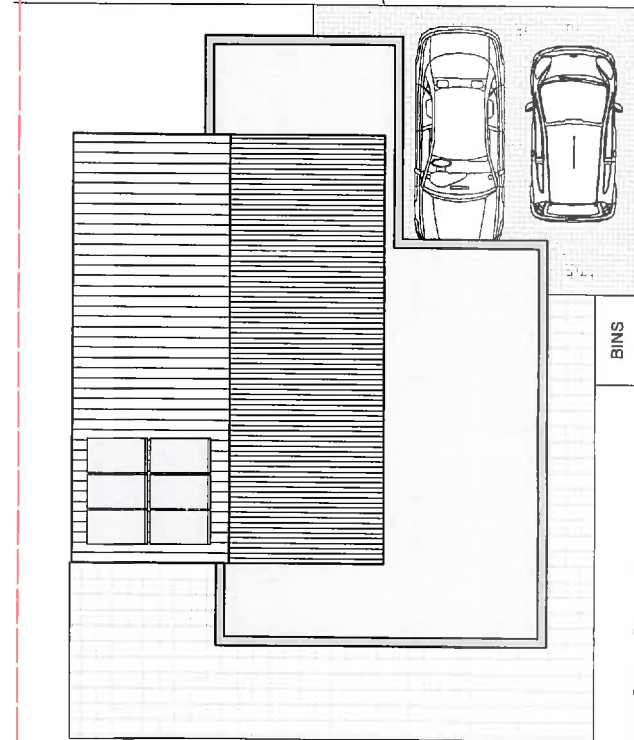
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FIRST FLOOR PLAN
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ROOF PLAN
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PLOTS 1 - 9

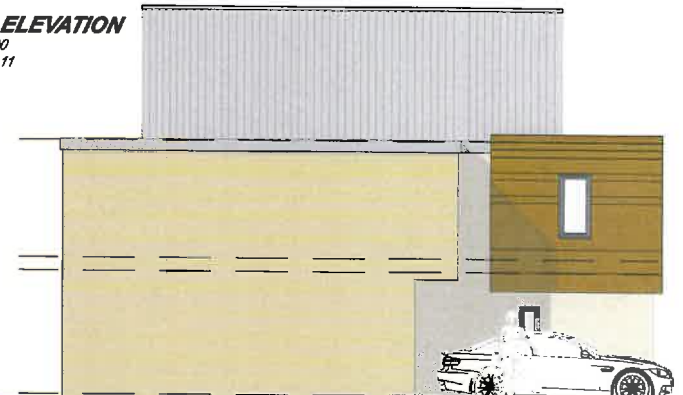


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PLOTS 1-11



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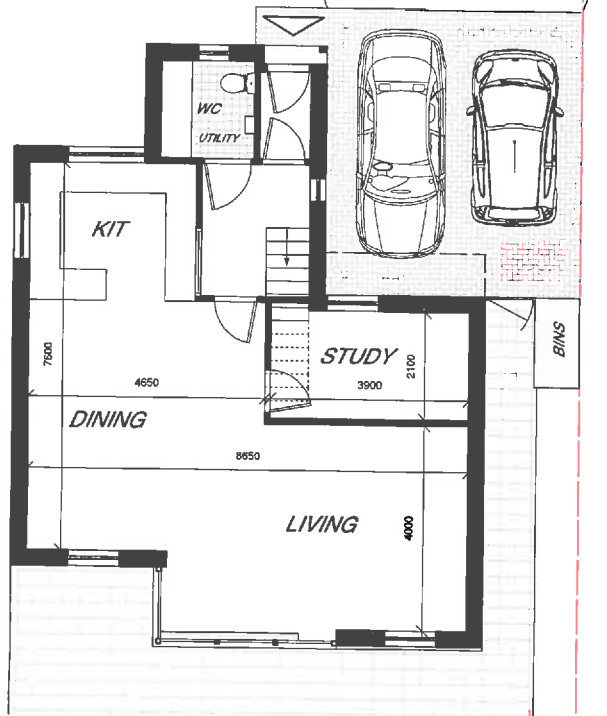
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PLANS & ELEVATIONS

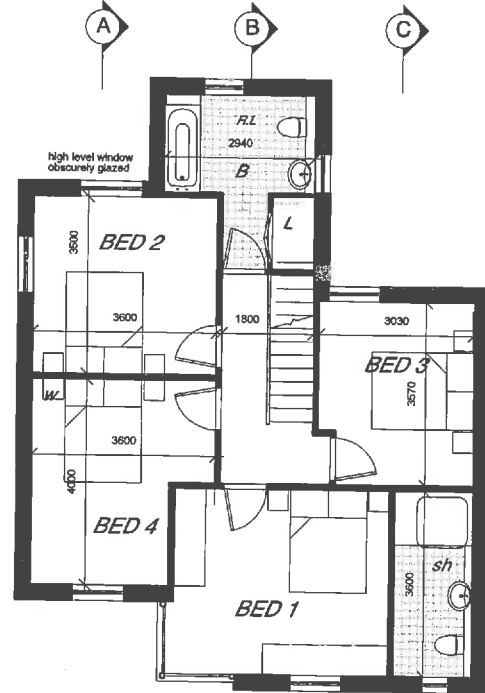
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P1006 02/1508

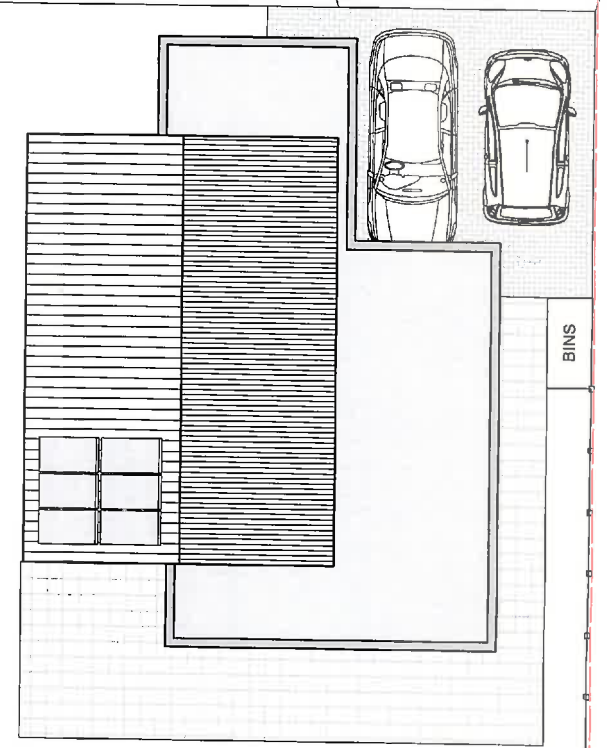
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FIRST FLOOR PLAN
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ROOF PLAN
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PLOTS 10 & 11

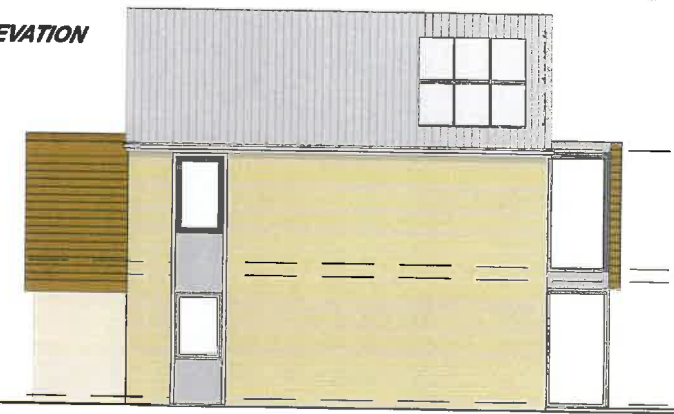


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FRONT NORTH ELEVATION
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EAST ELEVATION
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no.	date	revision notes

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PROJECT: #1 STATION GLOBE M26 J50W
DRAWING TITLE: PROPOSED
SCALE: 1:100 HOUSE PLOTS 10 & 11
DATE: 08/02/15
PROJECT NO: 15/006
PLANS & ELEVATIONS
P1006 02/152-

Ward: Radcliffe - East

Item 02

Applicant: Lancashire Mortgage Corporation

Location: Land at Heap Street, Radcliffe, Manchester M26 2SZ

Proposal: Erection of 2 no.dwellings

Application Ref: 57459/Full

Target Date: 02/07/2014

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion a Section 106 agreement for recreation provision contribution in accordance with Policy RT2/2 of the adopted Unitary Development Plan and SPD1. Should the Section 106 not be signed and/or completed within a reasonable period, it is requested that the application be determined by the Development Manager under delegated powers.

Description

The application relates to a rectangular residential plot (0.03ha) on the corner of Spring Lane and Heap Street. The site is untidy and comprises three rather run down single garages, a small hardstanding and an area of overgrown scrub and self seeded trees. The land is relatively flat.

The surrounding area is characterised by a mix of residential and commercial uses. Across Heap Street there is a row of two storey older terraced houses fronting Spring Lane whilst to the rear/north are more recent flats and houses. Immediately to the west is an area of public open space. Across Spring Lane is Globe Industrial Estate.

It is proposed to demolish the existing garages and build a pair of semi-detached houses on the plot facing onto Spring Lane. Each house would have four bedrooms, including one in the roofspace. Both would be finished in red brick with a grey/blue tiled roof. The windows would have sandstone heads and cills. It would have a hipped roof with parking/vehicular access at the rear, from Heap Street. The overall ridge height of both houses would be 8.6m with an eaves level of 5.2m. There would be a new brick boundary wall at 600mm around the frontage with 2m high timber fencing around the rear garden areas.

Relevant Planning History

None relevant.

Publicity

The following properties were notified by letter dated 8/5/14: Nos.2 and 4 Heap Street, 1-5 Springfield Apartments Heap Street, 85-97(odd) Spring Street, Nos.7 and 9 Landore Close, Unit 8-10 Globe Industrial Estate, Flats 1 and 2 Spring Lane.

The occupier of 83 Spring Lane has objected to the proposal on grounds that the development would require the removal of her garage that is situated on the site and that accommodates her mobility scooter.

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Section - Comments to be reported on the Supplementary Agenda.

Drainage Section - No objection.

Environmental Health - No objection subject to contaminated land conditions.

United Utilities - No objection.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN1/11	Public Utility Infrastructure
EN7	Pollution Control
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
SPD16	Design and Layout of New Development in Bury
SPD11	Parking Standards in Bury
SPD1	Open Space, Sport and Recreation Provision
NPPF	National Planning Policy Framework
RT2/2	Recreation Provision in New Housing Development

Issues and Analysis

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

Housing Policies - 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 application site is within an urban area of Whitefield that is residential in character and as such the proposed development would be appropriate in land use terms and would not conflict with the surrounding uses. Furthermore it is considered that there is adequate infrastructure to support the development. Subject to compliance with other policy considerations, the proposed development would be in accordance with Policy H1/2.

The details and layout of the application will need to be considered against the criteria listed in Policies H2/1 - Form of New Residential Development and H2/2 -Layout of New Residential Development as well as guidance provided in SPD16 - Design and Layout of New Development.

Policy H2/1 The Form of New Residential Development sets out factors to be assessed, including

- height and roof style,
- impact on residential amenity,
- density and character of the locality,
- position in relation to neighbours and materials to be used.

Policy H2/2 The layout of New Residential Development relates to layout and states that proposal should take account of;

- car parking and access,
- density,
- space between dwellings,
- landscaping,

Policy EN1/2 relates to general design of a new build on the streetscene and states that proposals should not have an adverse impact on the character of the townscape.

Visual Amenity - In terms of size, the site is considered capable of accommodating two dwellings in a semi-detached form. The two houses would relate most closely to the terraced houses to the without appearing to constitute overdevelopment or be out of character within the locality. The footprint of the new dwellings equates to about one third of the area of the site, a ratio that is comparable with properties in the immediate vicinity.

In terms of siting and massing, the proposed houses would be positioned towards the front of the plot and generally in line with other properties along this side Spring Lane. With an eaves height of 5.2m and a maximum ridge height of 8.6m, the proposed houses, with hipped roofs, would not be dissimilar in scale and height to other properties in the immediate area.

The design and appearance of the proposed houses is quite traditional and again, are not dissimilar to properties in the vicinity. With a red brick finish with sandstone heads and cills, the houses are considered to be appropriate within the site and would not be out of character with the area.

The design and appearance of the proposed houses is quite traditional and again, are not dissimilar to properties in the vicinity. With a red brick finish, grey/blue tiled roofs and sandstone window heads and cills, the houses are considered to be appropriate within the site and would not be out of character with the area.

Given the importance of the way the properties would fit into the streetscene, it is considered appropriate to attach a condition to any approval that removes 'permitted development' rights in order to control further alterations and extensions to the properties and to ensure the streetscene created will not be altered detrimentally.

Residential Amenity - The only windows looking towards the proposed houses are on the south west elevation of Brookfield Apartments, the flats to the north. There is approximately 12m from the nearest window to the rear boundary of the site, adjacent to the parking area. The windows on the rear of the proposed houses are 11m from this boundary, giving a minimum distance of 23m window to window. These separation distances are considered acceptable in respect to privacy and complies with policy and general guidance.

Given the way the properties have been carefully designed to fit within the streetscene and and comply with the Councils standards, it is considered appropriate to attach a condition to any approval that removes 'permitted development' rights in order to control further alterations and extensions to the properties and to ensure the amenity of the neighbours is not detrimentally affected.

In terms of residential amenity, the proposal would comply with UDP Policies H2/1 and H2/2 and detailed standards set out in the Council's adopted guidance within SPD 6 Extensions and Alterations.

Parking and Access - Both the proposed houses include a driveway/parking for two cars and that would be satisfactory for a development of this kind and complies with UDP Policy H2/2 The Layout of New Residential Development and SPD11 relating to parking and new development. The proposal should not generate so significant a level of traffic as to warrant refusing the application on these grounds. It would be a requirement of any approval that the appropriate visibility splays be achieved and all parking/hardstanding be constructed in permeable materials to reduce surface water run-off.

Waste collection - It would be normal practice to keep bins at the rear and bring them onto Heap Street for collection. This arrangement is considered satisfactory and complies with UDP Policy H2/2 The Layout of New Residential Development.

Trees - The self seeded trees on the site are not subject to a TPO and do not have

significant amenity value and their removal, to accommodate the dwellings, would be considered appropriate.

Bats- It would be considered appropriate to attach a condition requiring a bat survey to be conducted prior to commencement of development. Notwithstanding this, it is considered appropriate to also attach an informative on any approval with regard to the obligations of a developer with regard to the current legislation relating to protected species.

Land Contamination - Environmental Health require a Risk Assessment and prior to commencement of works and a condition has been attached to this end, pursuant to UDP Policy EN7 Pollution Control.

Recreation Provision - The application is subject to a Section 106 obligation regarding the payment of a developer contribution to the sum of £6,420.55 towards off-site enhancement to recreational facilities in relation to one additional dwelling on the site. This is in accordance with the Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development.

Objections - The fact that the neighbour at No.83 Spring Lane would lose their storage facility for her mobility scooter is unfortunate but not a material planning consideration and does not constitute a reason to refuse the application. It is noted that the residents does have a covered rear yard area that could be used for such a purpose.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 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. 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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, 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 prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to UDP Housing policies H2/1 and H2/2.
5. 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. 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 11 - Conserving and enhancing the natural environment.
6. Following the provisions of Condition 5 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 11 - Conserving and enhancing the natural environment.
7. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) 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 11 - Conserving and enhancing the natural environment.
8. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
 - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;

- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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 11 - Conserving and enhancing the natural environment.

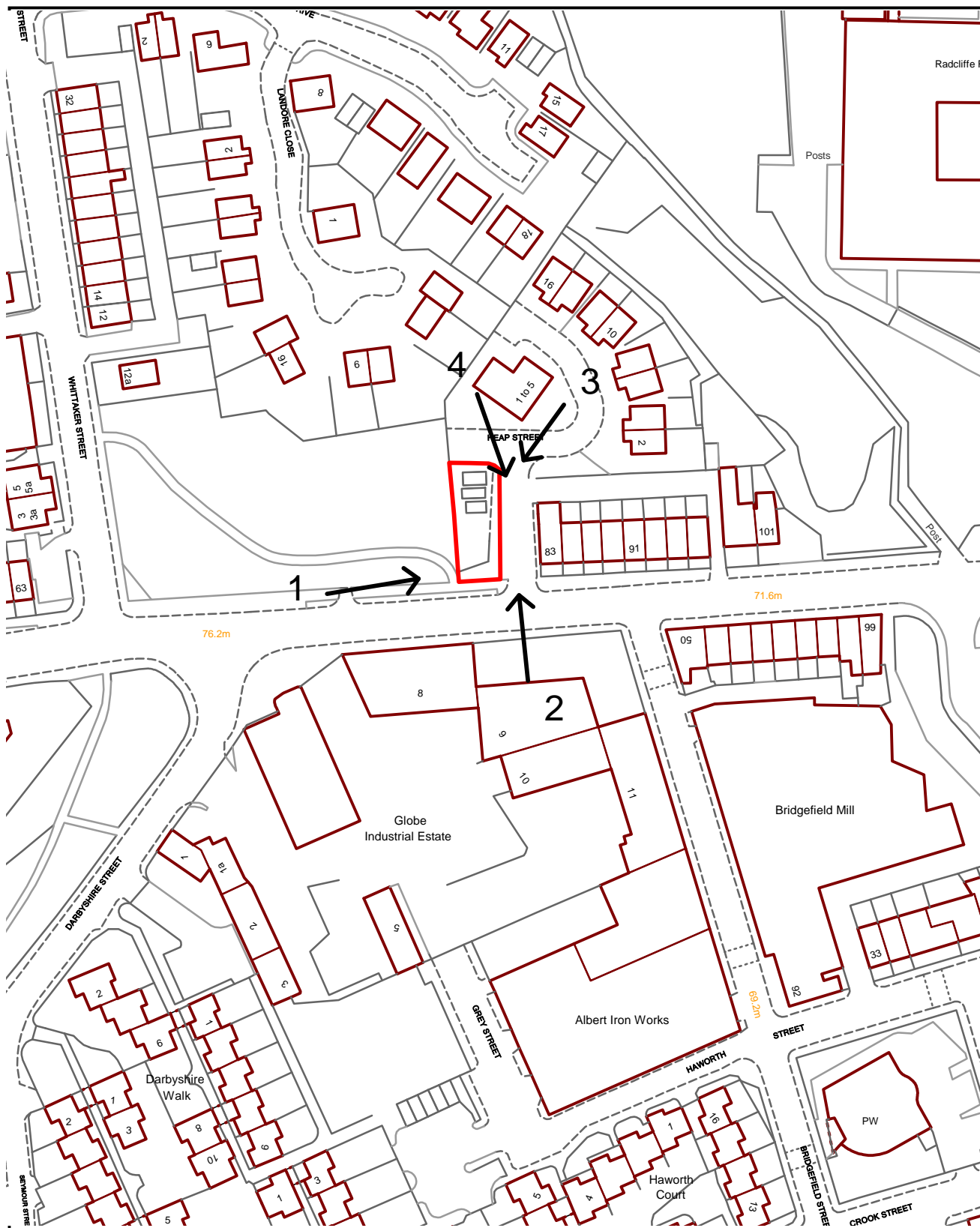
9. Following the provisions of Condition 5 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and

A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57459

**ADDRESS: Land at Heap Street
Radcliffe**



Planning, Environmental and Regulatory Services 1:1250

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57459

Photo 1



Photo 2



Photo 3



Photo 4

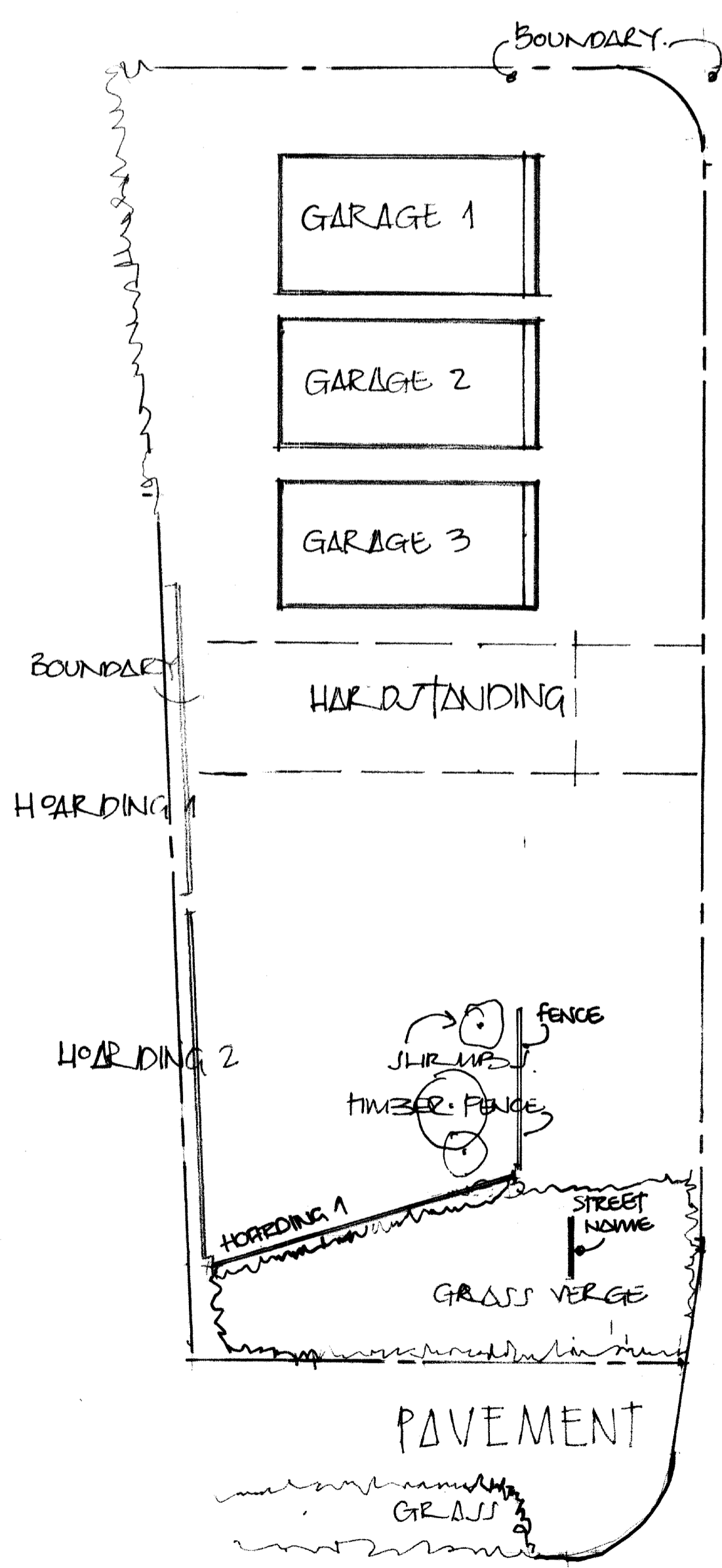
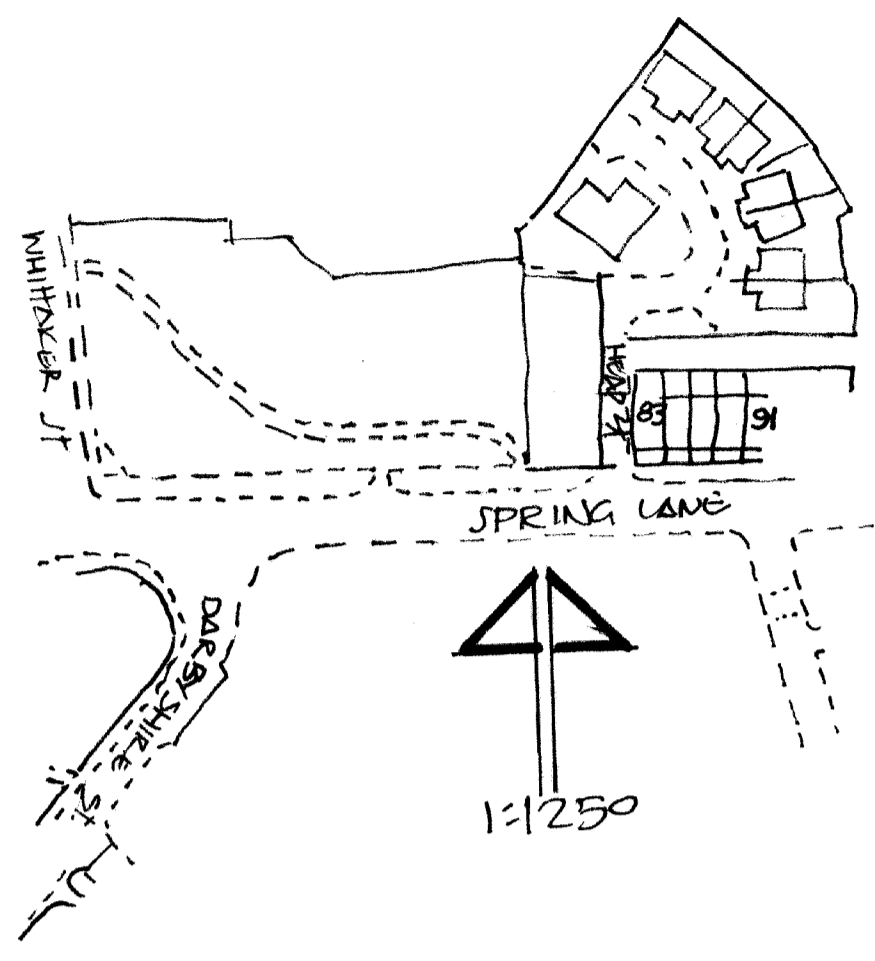


NEW SEMI-DETACHED HOUSES, ON VACANT LAND, ON HEAP STREET RADCLIFFE, BURY.

SITE PLAN DETAILS
 1:100 / 1250
 March 2014, REF: JS/FW.

REF: 1403.7/2.* BC

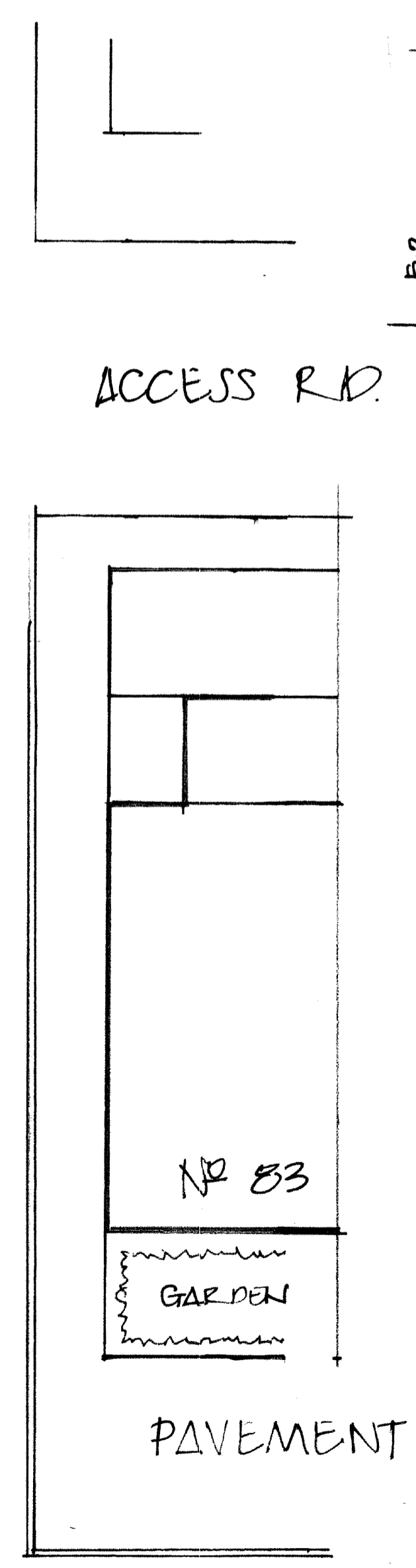
REV A = JUN 14 = BIN STORES ADDED.
 REV B = JULY 14 = HIGHWAY/STREETS AMENDMENTS.
 REV C = JULY 14 = TO SUIT PLANNERS REQUIREMENTS.



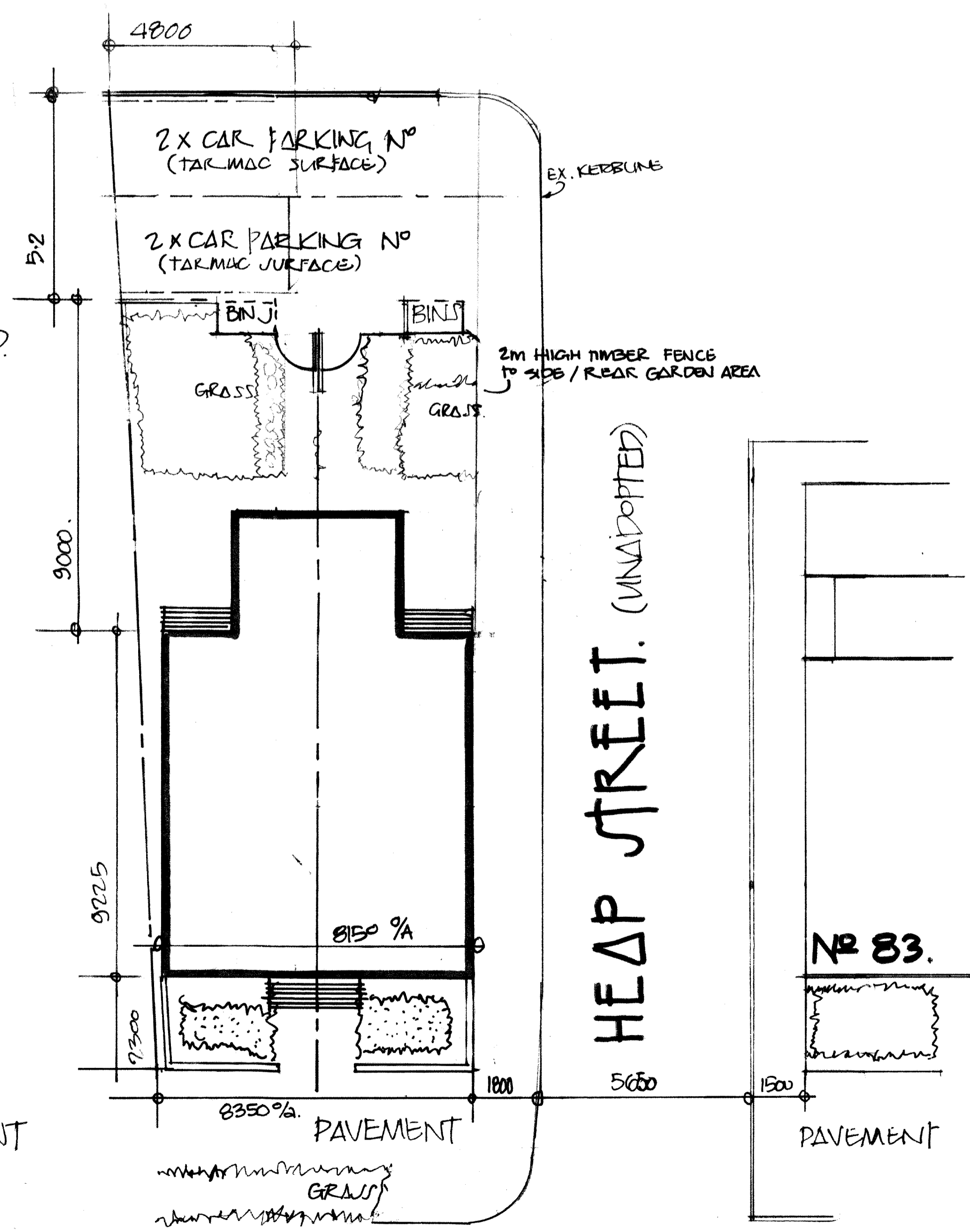
SPRING LANE

• EXISTING LAYOUT.

HEAP STREET (UNADOPTED)



PAVEMENT



PAVEMENT

SPRING LANE

• PROPOSED LAYOUT.

NEW SEMI-DETACHED HOUSES, ON VACANT LAND, ON HEAP STREET RADCLIFFE, BURY.

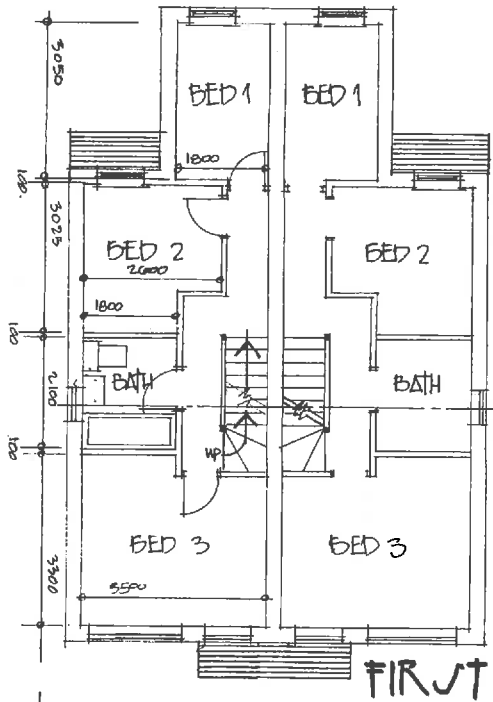
PLANS & ELEVATIONS

1:50

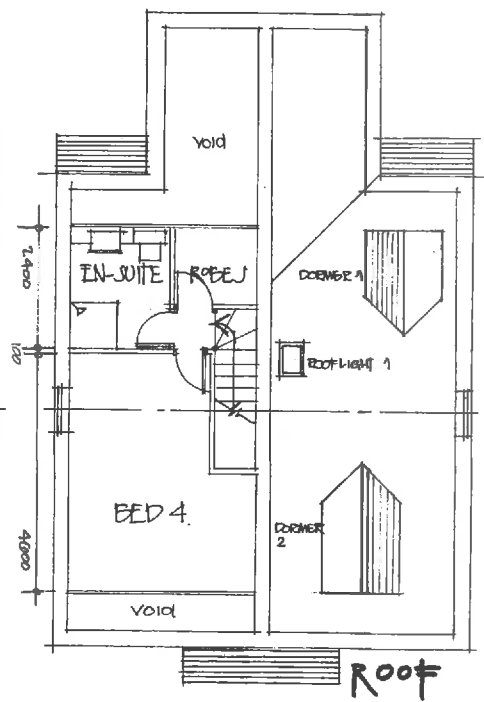
March 2014, REF: JS/FW.

REF: 1403.7/3.A.

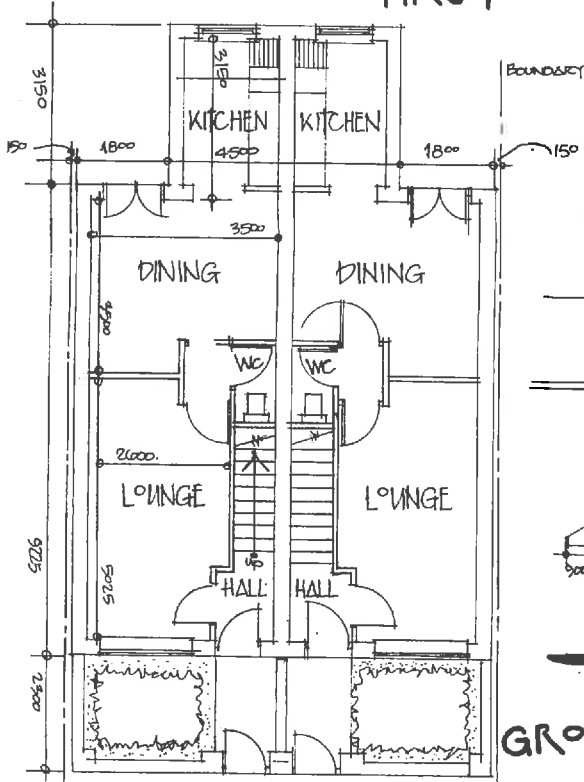
June 2014 = Sandstone course added to gables



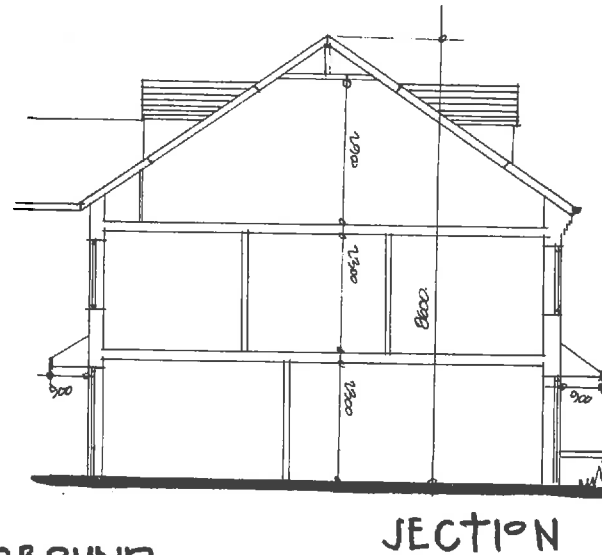
FIRST



ROOF



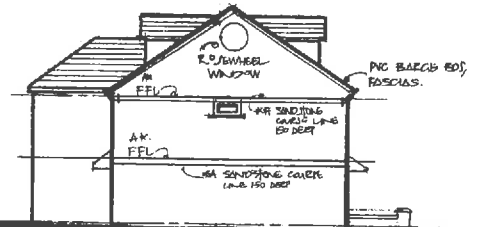
GROUND



SECTION



REAR VIEW



SIDE VIEW



FRONT VIEW

- DARK BLUE ROOF TILES
- PVC CLADDING FRONT & CHEEKS
- PVC WINDOW FRAMES TO DORMER. DORMER ROOF IN DARK BLUE TILES
- BRICK CORBELLING
- SANDSTONE COLOURED CILLS
- SANDSTONE COLOURED HEADS
- ORANGE BRICKWORK
- 2M HIGH HIT + MISS PINEFR. FENCE

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 03

Applicant: Lindsay Cunningham Limited

Location: 2 Market Place (Including 57 & 59 Bridge Street), Ramsbottom, Bury, BL0 9HT

Proposal: Change of use from shop (Class A1) to professional estates facilities and property letting agents (Class A2) ground floor and basement only

Application Ref: 57512/Full

Target Date: 18/07/2014

Recommendation: Approve with Conditions

Description

The application relates to a vacant shop on the corner of Market Street and Bridge Street in the centre of Ramsbottom. The site is within the Town Centre Conservation Area. The application relates to the ground floor of an attractive three storey stone built property. The attached neighbour on the Ramsbottom Lane side is a vacant picture gallery and on the Bridge Street side, there is a chinese take-away. Directly across Bridge Street is a travel agents and across Market Street is the 'memorial urn'.

The property, which has a footprint measuring 144sqm, has been vacant for approximately twelve months and was formerly an interior lighting and design shop. The main pedestrian access is from Ramsbottom Lane and there is a secondary access from Bridge Street.

It is proposed to change the use of the ground floor to an estate agency business (A2). There are no structural works proposed with only new signage which would be subject to advertisement regulations.

Relevant Planning History

None relevant.

Publicity

Site and press notices were posted. The following businesses and residents were notified by letter dated 30/05/2014. GM Police, Holcombe Mill, 4, 9A, 11A, 14, 28, 35, 38, 45, 46, 57, 58, 49-57(odd), 80-84 Bridge St, Ramsbottom Private Hire, 6-18(even) Market Place, 2-4 Killer St, 1 Carr Street, 1-5 Bolton Street.

One objection from 53 Bridge St (Weale and Hitchen). The objection is to the loss of an A1 shop in a very prominent town centre location.

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Management - No objection.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
Area	Bolton Street/Bridge Street
RM3	
S2/2	Prime Shopping Areas and Frontages
S1/2	Shopping in Other Town Centres
EN1/8	Shop Fronts

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. The site is within Ramsbottom Town Centre's Prime Shopping Area. As such 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.

The extent to which the property has remained vacant whilst not considered within Policy S2/2, is also a matter to be considered and in this case the vacancy period is approximately 12 months.

The premises is in a particularly prominent position within the commercial centre and although this can work against the loss of an A1 shop, the lengthy vacancy period, twinned with the prominent position, means that the empty premises would have a disproportionate and detrimental impact on the character, viability and vitality of the wider centre.

In terms of the number, distribution and proximity of other non-retail uses, the town centre still retains a relatively healthy variety of shops and associated uses. As such it is considered that the new use, with daytime opening and a healthy footfall, would not have a seriously detrimental impact on the viability or vitality of the existing shopping centre. Indeed it would allow an existing property to be brought back into active business use after an extended period of vacancy. As such the proposal, in terms of use, is on balance acceptable and complies with UDP Policy S2/2 Prime Shopping Areas and Frontages.

UDP Area policy RM3 encourages proposals for retailing and appropriate ancillary uses within the Town Centre and other related shopping policies support this. Given its prominent location within the town centre and the fact that the ground floor has been vacant for over 12 months, following marketing in local press and through the internet, the change of use is considered acceptable in principle and satisfies UDP shopping policies.

Conservation Area and Visual Amenity. UDP Policies EN2/1 and EN2/2 state that proposals should respect the architectural elements of the building and character of the surrounding street scene. As there are no external alterations proposed, there are no serious visual amenity issues arising.

Residential Amenity. There are no serious issues arising in this respect as the impact of an estate agent on nearby residents would be no worse than that of a retail shop.

Traffic and Highways. There are no traffic, parking or other highway issues of concern in this town centre location.

Access. The existing access is not altered and as such there are no serious access issues.

The proposal is in keeping with the Town Centre and Conservation Area and complies with the related UDP policies listed.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

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 Paragraphs 186-187 of the National Planning Policy Framework.

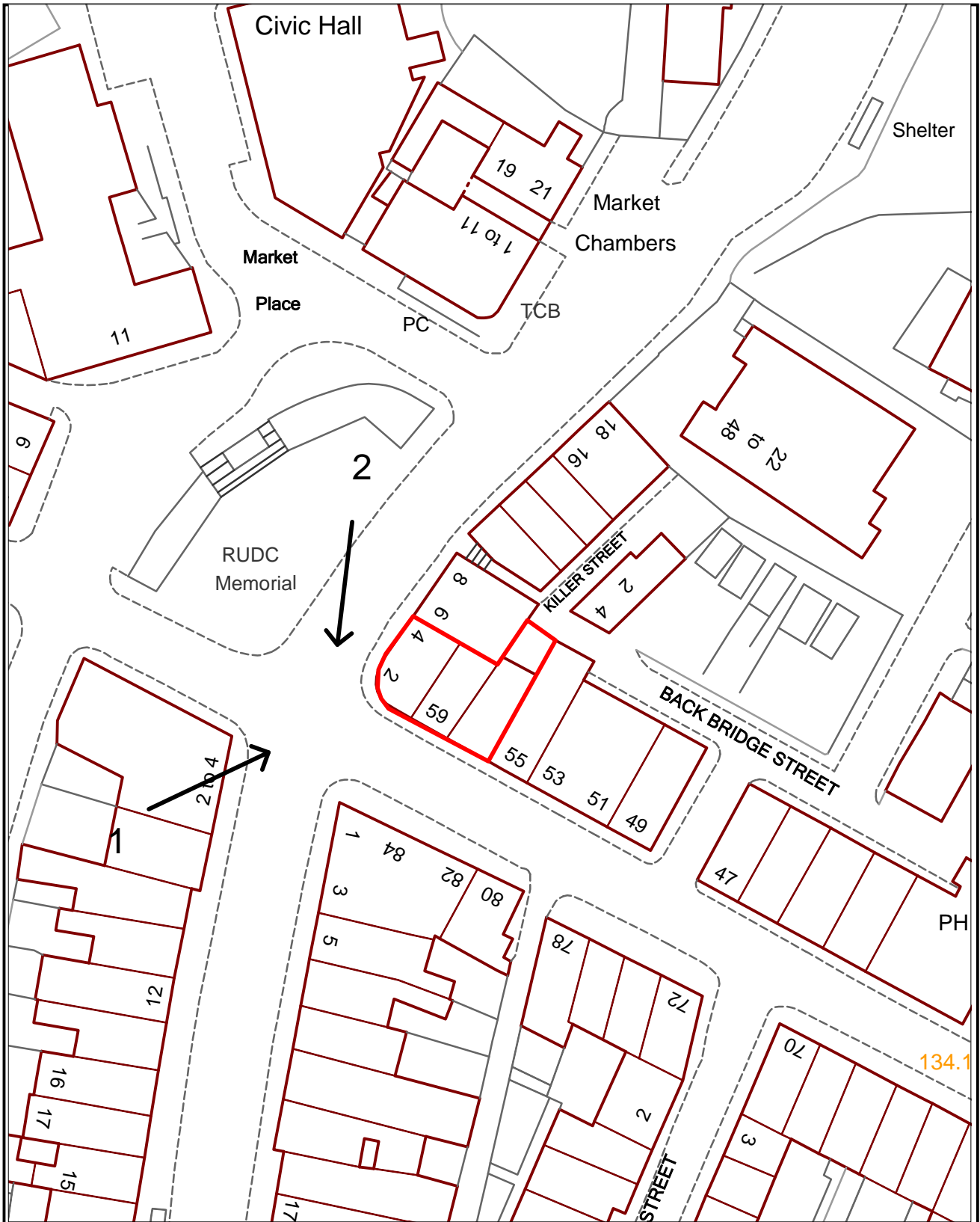
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to location plan and unreferenced drawings dated 20/05/14 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57512

**ADDRESS: 2 Market Place (including 57 & 59 Market Street)
Ramsbottom**



Planning, Environmental and Regulatory Services 1:1250

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57512

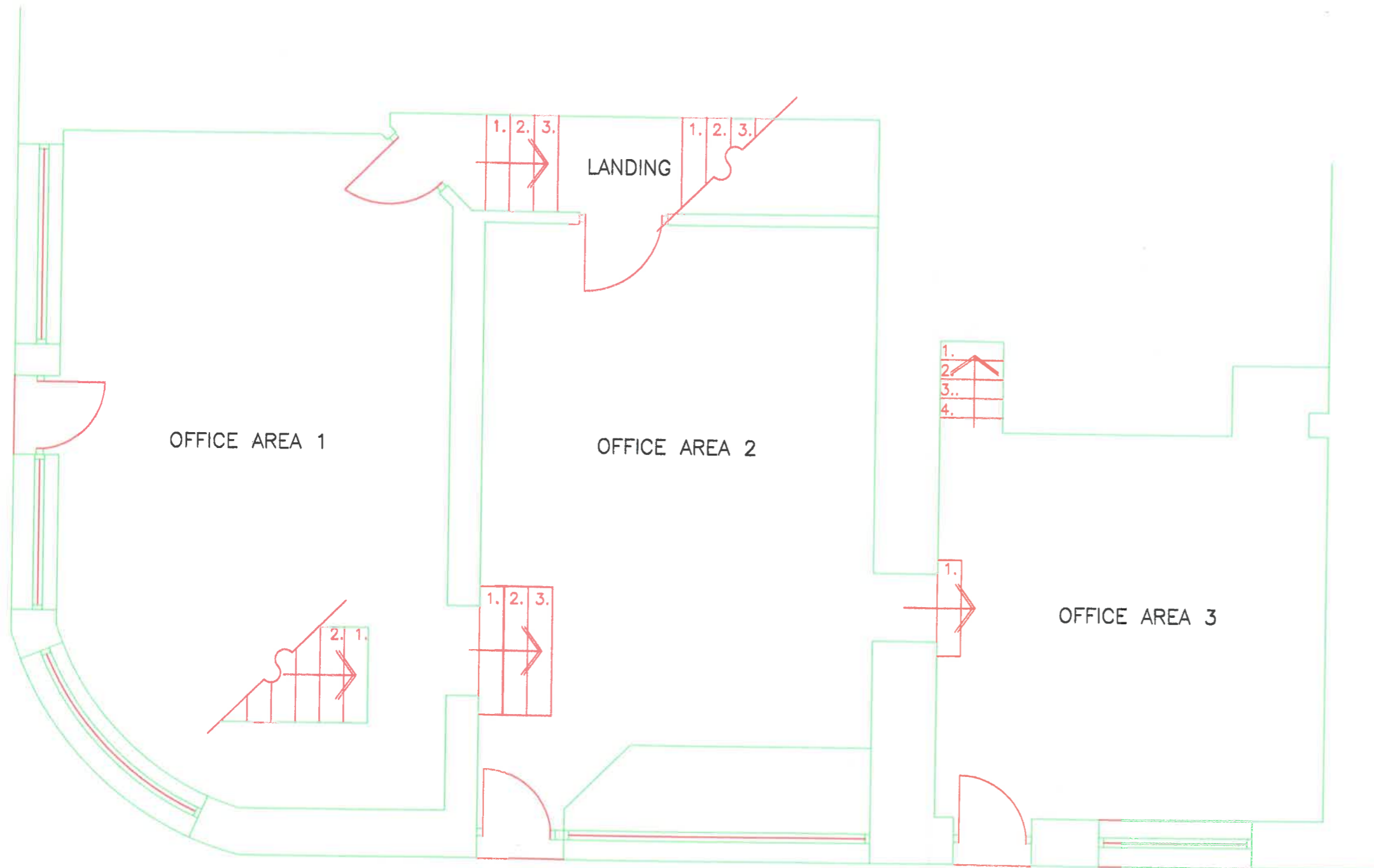
Photo 1



Photo 2



PROPOSED GROUND FLOOR PLAN



NOTES

- All dimensions and levels are to be checked on site.
- Any discrepancies are to be reported to the architect before any work commences.
- This drawing shall not be scaled to ascertain any dimensions. Work to figured dims only.
- This drawing shall not be reproduced without express written permission from AEW.
- Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. AEW cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.

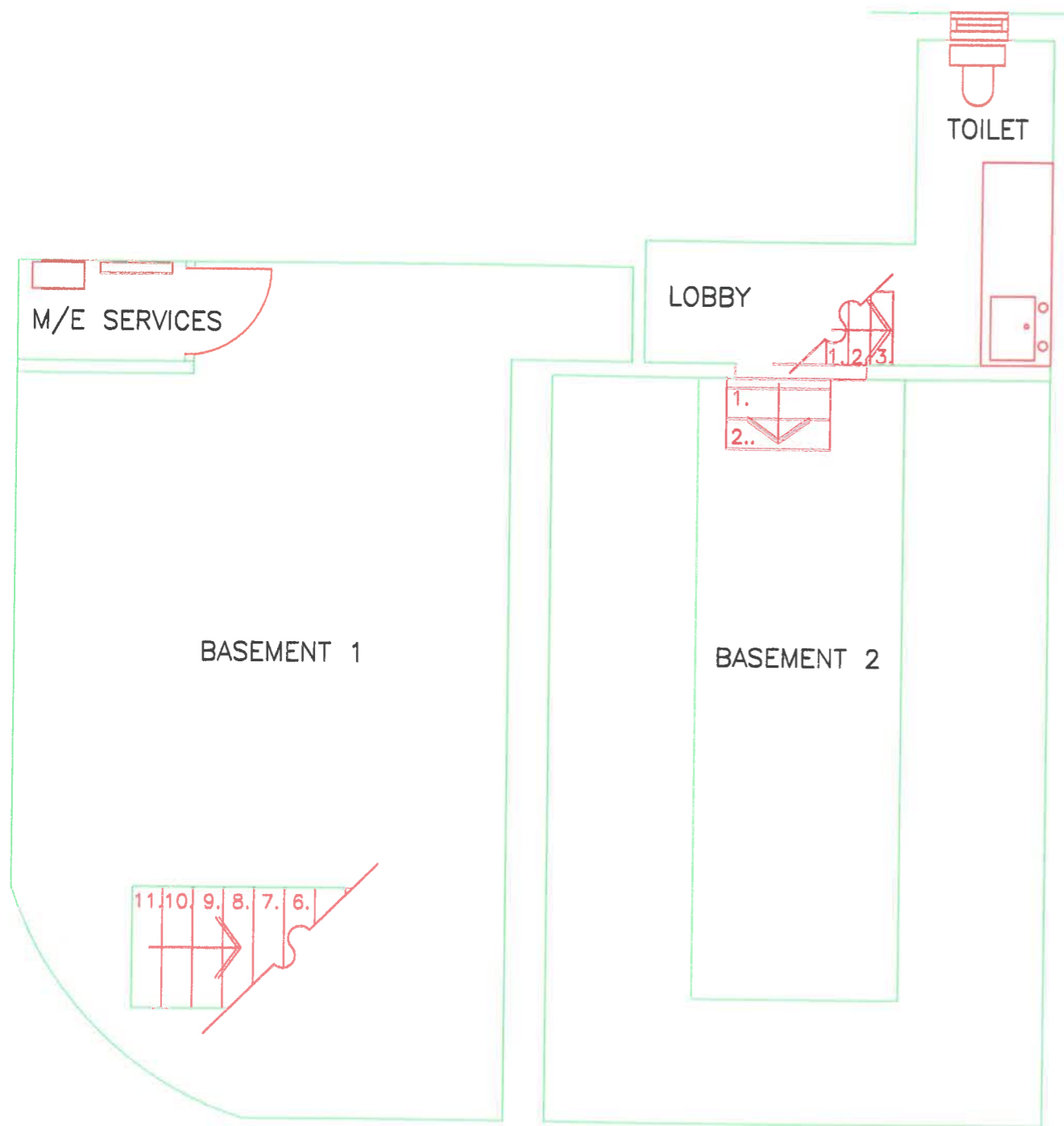
DESIGN HAZARD IDENTIFICATION

- No significant Hazards have been identified in this drawing

PLANNING NOTE

- No material /structural alteration are required internally or externally convert the existing building from Retail to Office Accommodation

PROPOSED BASEMENT FLOOR PLAN



rev	date	drawn	checked
-	20/05/14	ER	
Initial Issue			
drawing stage	Planning Drawing COY		
drawing status	For Information		
client	Lindsay Cunningham Limited		
project	2 Market Street Inc 57 & 59 Bridge Street Ramsbottom Bury		
drawing title	Existing & Proposed Layout Drawings Ground & Basement Floor		
date	20/05/14	drawn	ER
scale	1/50 @ A1	checked	

Ward: Prestwich - Sedgley

Item 04

Applicant: Fieldham Properties Ltd

Location: 1 Park Hill Place, (rear of 12 Park Hill). Bury Old Road, Prestwich, Manchester, M25 0FX

Proposal: Change of use to office (Class B1a) with retention of storage (Class B8) at ground floor

Application Ref: 57526/Full

Target Date: 08/07/2014

Recommendation: Approve with Conditions

Description

The application relates to a detached brick built store/warehouse to the rear of Park Hill Place, on the west side of Bury Old Road. The building has recently been refurbished and has a rendered finish to the front and a tiled roof. It has a footprint measuring 8.5m by 4.5m. The ground floor comprises a storage area, toilet and small office and kitchen whilst the upper floor has a storage area and office with a small toilet and kitchen. Access to the building is via the access road from Bury Old Road and there is a roller shutter door and a separate door for pedestrian access.

The building is located behind the shops on Park Hill Place. To the side is a private unmade car park serving the shops. On the north side is a hand car wash and to the rear is an area of trees and rough vegetation.

The proposal is to retain the storage use on the ground floor and use the upper floor/roofspace as office space - one office and a meeting room is indicated on the proposed plan.

Relevant Planning History

13/0509 - Change of use to offices: extension - 25/11/2013

Publicity

The following 19 properties were notified of the planning application by initial letter dated 13/05/14 and amended plan letter dated 10/06/14. No.19, 21 Bury Old Road, 7-12 Park Hill Bury Old Road, 176-188 Albert Avenue. Three objections received from 8 Park Hill, the Jewish Telegraph at 11 Park Hill and Holy Law, Bury Old Road - summarised below:

- Inadequate parking for workers or visitors which means that the parking would inevitably spill over to the front of the shops known as Park Hill.
- The building has already been altered and changes already made.
- The building already been rented out to a retail fishmonger.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection

Environmental Health - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EC4/1 Small Businesses

EC5/3	Other Office Locations
NPPF	National Planning Policy Framework
EC4/1	Small Businesses
EN7/2	Noise Pollution

Issues and Analysis

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

Principle - The principle of converting part of the building, used previously for storage (B8) to offices (B1) should be assessed against the following policies.

EC4/1 Small Businesses states that proposals for small businesses will be considered acceptable when the scale of development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies of the UDP.

UDP Policy EC5/3 Other Office Locations, indicates that proposals for offices outside town and district centres may be acceptable if they are small scale and provide a service to the local area.

Policy EC6/1 Assessing New Business, Industrial and Commercial Development indicates that proposal should take into account the following factors - size and scale, access and parking, landscaping, effect on neighbours and safety factors.

Visual Amenity - The building has recently undergone both internal and external refurbishment and with the replacement roof, the eaves have been raised by about 4/5 brick courses. The building does not appear incongruous within the backland plot, to the rear of the commercial centre. The proposal is for a change of use and does not involve further structural alterations. As such there are no serious issues with regard to visual amenity.

Residential amenity - Given the location of the building, the limited window openings (there are rooflights) and the nature of the new use, there are no serious residential amenity issues arising from the change of use from storage to offices on what is a relatively modest area within the roofspace of the building. The proposal therefore complies with UDP Policy EC4/1 and EC6/1 Assessing New Business, Industrial and Commercial Development.

Traffic and Highways - The building does not have a curtilage. It is accessed from Bury Old Road via a single track tarmac road. This access road is not within the ownership of the applicant but there is a right of access over it. The proposed plan indicates two parking spaces directly in front of the building with a facility to turn and exit the access road onto Bury Old Road in forward gear.

Given the scale of the new office use, the potential traffic generated by the warehouse use and the , the Traffic Section does not raise any objections to the proposal.

Servicing - The building and uses would be serviced as it was with the previous single use.

Objections - A small office such as that proposed should not generate significant traffic over and above that generated by the existing storage/warehouse use which in itself could have an ancillary office within the building. There are public parking spaces along Park Hill Place and the two parking spaces to the front of the building are considered acceptable.

The building has been refurbished and whilst the ridge has remained at the same height, the eaves level has been raised slightly. The refurbishment did not require planning permission and the changes to the eaves are not considered significant.

Whilst there have been reports from the objectors that a retail fishmonger has been operating from the building, on the occasions that visits have been made to the building, there was no evidence of this. It is noted that as an existing storage facility, fish could be kept in the building. With regard to any retailing, a condition could be attached to any approval, preventing any form of retail use of the building.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered 1403-04 - Site/C, 1403/DL/02(existing) and 02/A(proposed) and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
2. The building shall not be used for any other purposes than hereby approved - Storage at ground floor and office space at first floor.
Reason. In order to retain control over the use of the building in the interests of amenity and highway safety pursuant to UDP Policies EC4/1 Small Businesses.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57526

**ADDRESS: 1 Park Hill Place, Bury Old Road
Prestwich**



Planning, Environmental and Regulatory Services 1:1250

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57526

Photo 1



Photo 2



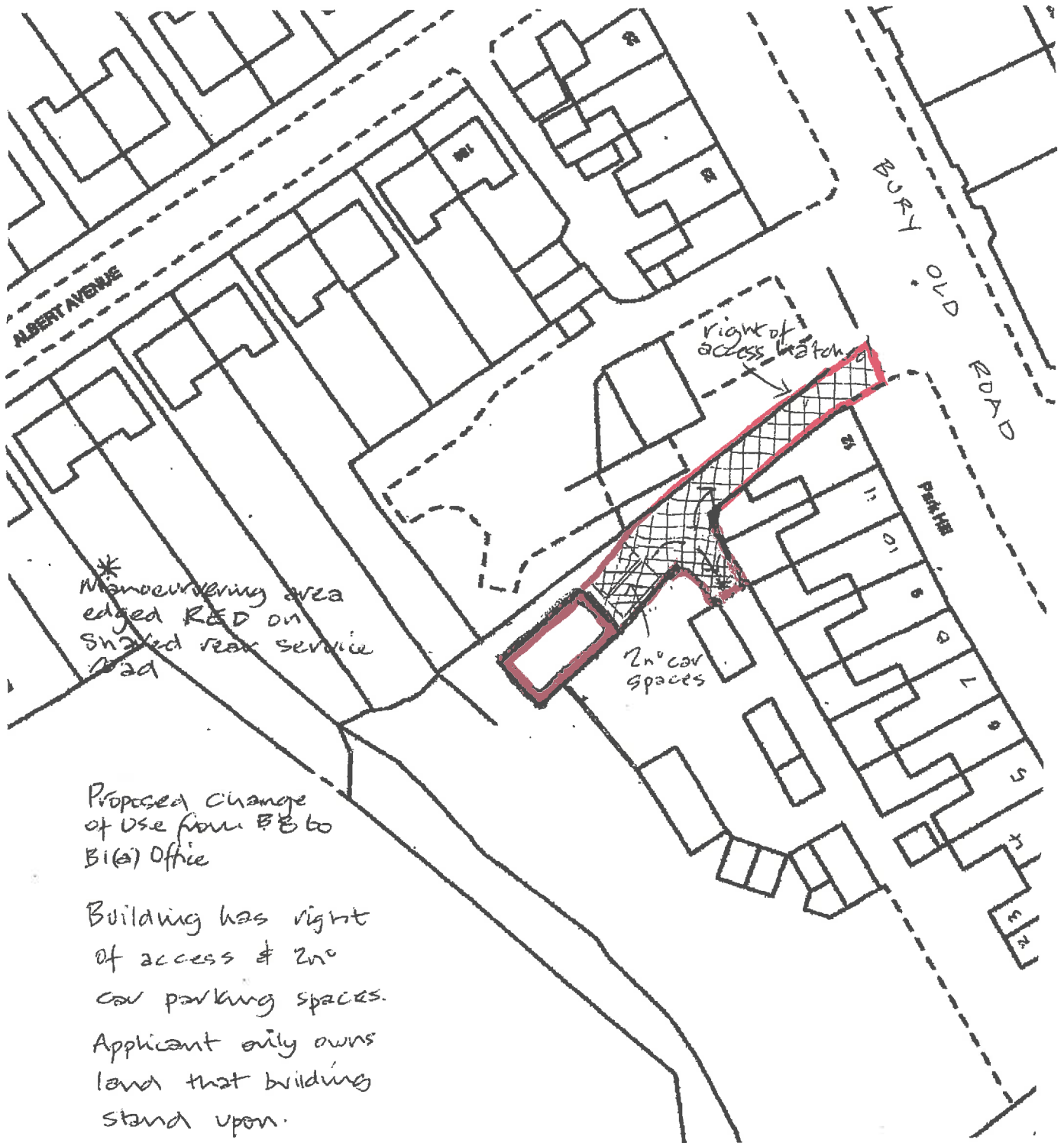
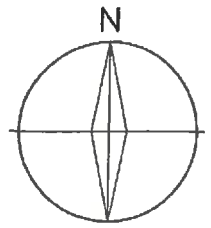
Photo 3



Photo 4



1, Park Hill Place Site Plan 1:500



*Manoeuvring area edged RED on shaded rear service road

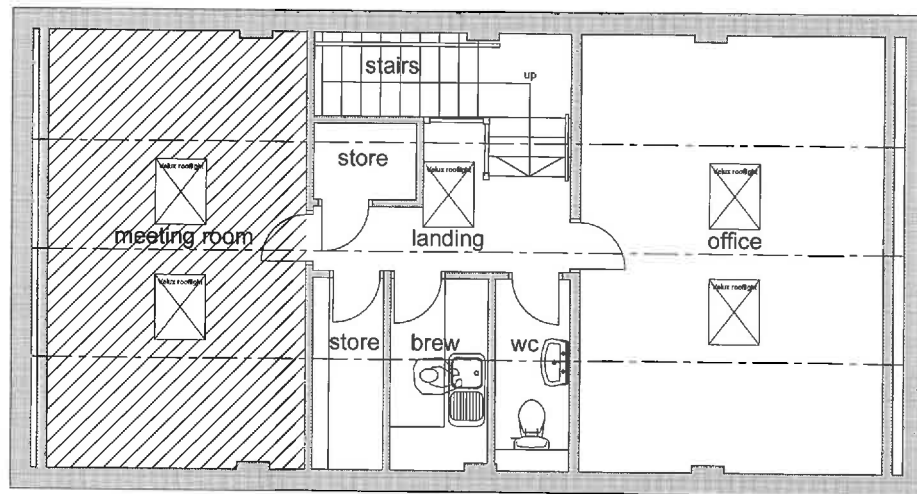
Proposed change of use from B2 to B1(a) Office

Building has right of access & 2nd car parking spaces.

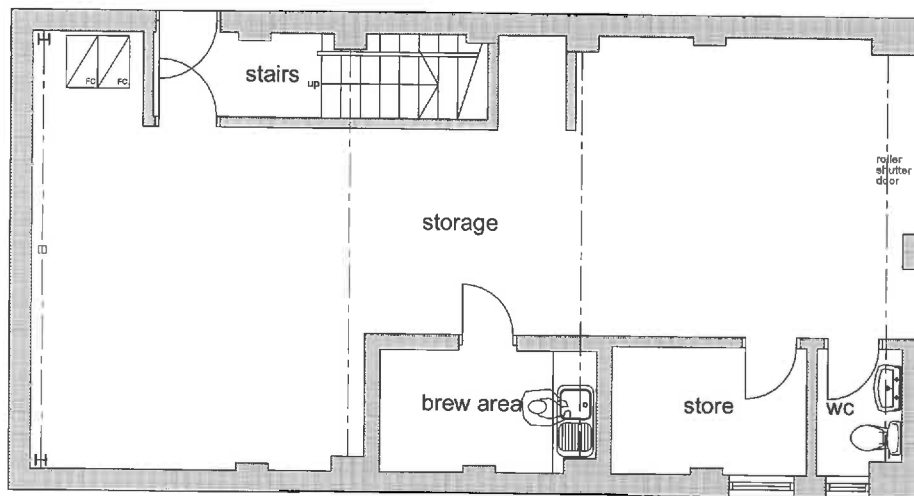
Applicant only owns land that building stand upon.

<p>CLIENT Fieldham Properties Ltd -Mr D Lee</p>	<p>Site Plan</p>			
<p>PROJECT 1 Park Hill Place, Bury Old Road, Prestwich, Manchester M25 0FX.</p>	<p>SCALE 1:500</p>	<p>DATE 12-05-2014</p>	<p>DRAWN rb</p>	<p>CHECKED -</p>
<p>DRAWING NO. 1403-04-Site</p>		<p>CAD REFERENCE NO.</p>	<p>REVISION C</p>	

NOTES



proposed first floor plan



proposed ground floor plan

REV	DESCRIPTION	CHECK	DATE
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CLIENT

Mr D Lee
Fieldham Properties Ltd

PROJECT

Proposed Change of Use to B1(a) with retention of BB

DRAWING

Proposed Plans

SCALE	DATE	DRAWN	CHECKED
1:50 @ A2	Apr 2014	rb	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
1403/DL02		A	

Ward: Prestwich - Sedgley

Item 05

Applicant: Mr Fernandez

Location: 91 Windsor Road, Prestwich, Manchester, M25 0DB

Proposal: Change of use from office to coffee shop (Class A3) with external seating and new shop front

Application Ref: 57542/Full

Target Date: 01/08/2014

Recommendation: Approve with Conditions

Description

The application relates to a two storey, mid terraced commercial property that is currently vacant. It was previously used as an office. The site is within a Neighbourhood Shopping Centre which is surrounded by residential properties. Each commercial unit along the frontage has an area of curtilage between the shopfront and the public footway. There is a yard and access road to the rear. There is on street parking area along the frontage of the shopping centre. The wider area is residential in character with semi-detached houses across Windsor Road and flats to the rear. The entrance to Bowker Vale Metro stop is located approximately 60m further along Windsor Road, to the north east.

The proposal involves converting the existing premises at ground floor level to a cafe (A3). The cafe would have a floor area of 40sqm with a main seating area at the front for approximately 26 covers. There would be an external timber decked area, 5m by 3m, at the front with a timber balustrade surround. The counter area and kitchen and toilets would be to the rear. Opening hours are proposed from 7am to 6pm (revised from the 8pm in the original submission).

Relevant Planning History

46481 - Change of use from office to shop (Class A1) - Approved 06/09/2006.

Publicity

Twenty eight neighbours at the following properties were notified: odd 75-99 and even 60-82 Windsor Road and 1-4 Downham Grove. Objections have been received from Nos. 62, 66, 72, 74 and 99 Windsor Road and are summarised below:

- There is insufficient parking in the area and this would make the problem worse.
- The proposed hours of opening are too early and too late.
- The external seating area would reduce the width of the walkway along the frontage.
- Given the lack of passing trade, the shop is unlikely to be successful.
- It would increase anti-social behaviour after hours.
- Increase in litter.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Environmental Health - No objection.

Unitary Development Plan and Policies

S1/5 Neighbourhood Centres and Local Shops
EN1/2 Townscape and Built Design
S2/6 Food and Drink
EN7/2 Noise Pollution

HT5/1	Access For Those with Special Needs
H3/1	Assessing Non-Conforming Uses
NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design

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 Background. UDP Policy S/5 Neighbourhood Centres and Local Shops seeks to retain retailing (Class A1) within existing shop for the day to day needs of local residents.

Policy S2/6 Food and Drink is specifically relevant and indicates the Council should have regard to the following factors:

- amenity of local residents;
- concentration of food and drink outlets;
- parking and servicing;
- refuse;
- impact of fumes.

The policy suggests that restaurants and other food outlets are most appropriately located within town and district centres and other mixed use areas where their impact would be least damaging and demand for services arguably the greatest. Proposals for outlets in other areas may be acceptable if they can clearly show they satisfy all of the above criteria.

Policy H3/1 - Assessing Non-Conforming Uses indicates that proposals for the development of non-conforming uses in primarily residential areas will not be permitted. Factors to be considered includes noise, traffic generation, parking arrangements and hours of operation.

Residential Amenity. Although the proposed cafe would be within an established neighbourhood shopping centre, the impact on residential amenity is important as there are residential properties across Windsor Road and to the rear.

In terms of size, the cafe is not large and with opening hours between 7am and 6pm. As a consequence, the impact of a cafe in this location would not be considered to be seriously detrimental to residential amenity of neighbours in terms of noise and disturbance.

The existing office use, and any future shop use, would generate a certain amount of traffic. It is not considered that the cafe would generate significantly more traffic above and beyond this. In general a small cafe/coffee shop. It is not unusual to have a coffee shop on a small parade of shops and it is not considered that the it would be an incompatible use in this particular Neighbourhood Shopping Centre and would not likely to cause seriously conflict with the interests of local residents.

Concentration of Food and Drink Outlets. There are no restaurants or cafes within the Neighbourhood Shopping Centre and as such this is not an issue. Indeed it is considered that the presence of a small cafe, with daytime opening, would be more appropriate than a B1 office in this location.

Traffic and Highways. The traffic team have no objections to the proposal as it would not represent a significant intensification of the use of the site and noticeably increase traffic generation within the centre as a whole. It is likely that the many customers would arrive on

foot or be visiting the neighbourhood centre to utilise other facilities in any case. Whilst some customers would be visiting the cafe as a sole destination, the impact on parking would not be so serious to warrant refusal of the application. The proposal is therefore acceptable in terms of traffic and highway safety and complies with UDP Policy S2/6 in this respect.

Visual amenity. The fact that the vacant and rather unkempt property would be brought back into active use as a small cafe to serve the local community should add vitality to the shopping centre and improve its general appearance. The decked area with the timber balustrade should not appear out of keeping with the streetscape and would comply with UDP Policy EN1/2 Townscape and Built Design. A condition would require the decking and balustrade to be removed should the proposed use of the building cease. This would prevent it falling into disrepair.

Refuse and Litter. It is accepted that the proprietor could organise refuse collection from the premises without too much disturbance. It is not likely that litter would be a concern.

Impact of flues. The proposal does not include the installation of a flue or extractor system. Given that the proposal is for a coffee shop, this is considered appropriate.

Disabled Access. Some details with regard to disabled access need to be clarified but these could be dealt with by an appropriate planning condition.

Comments received from neighbours. The concerns have been outlined in the 'Publicity' section and addressed in the report.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

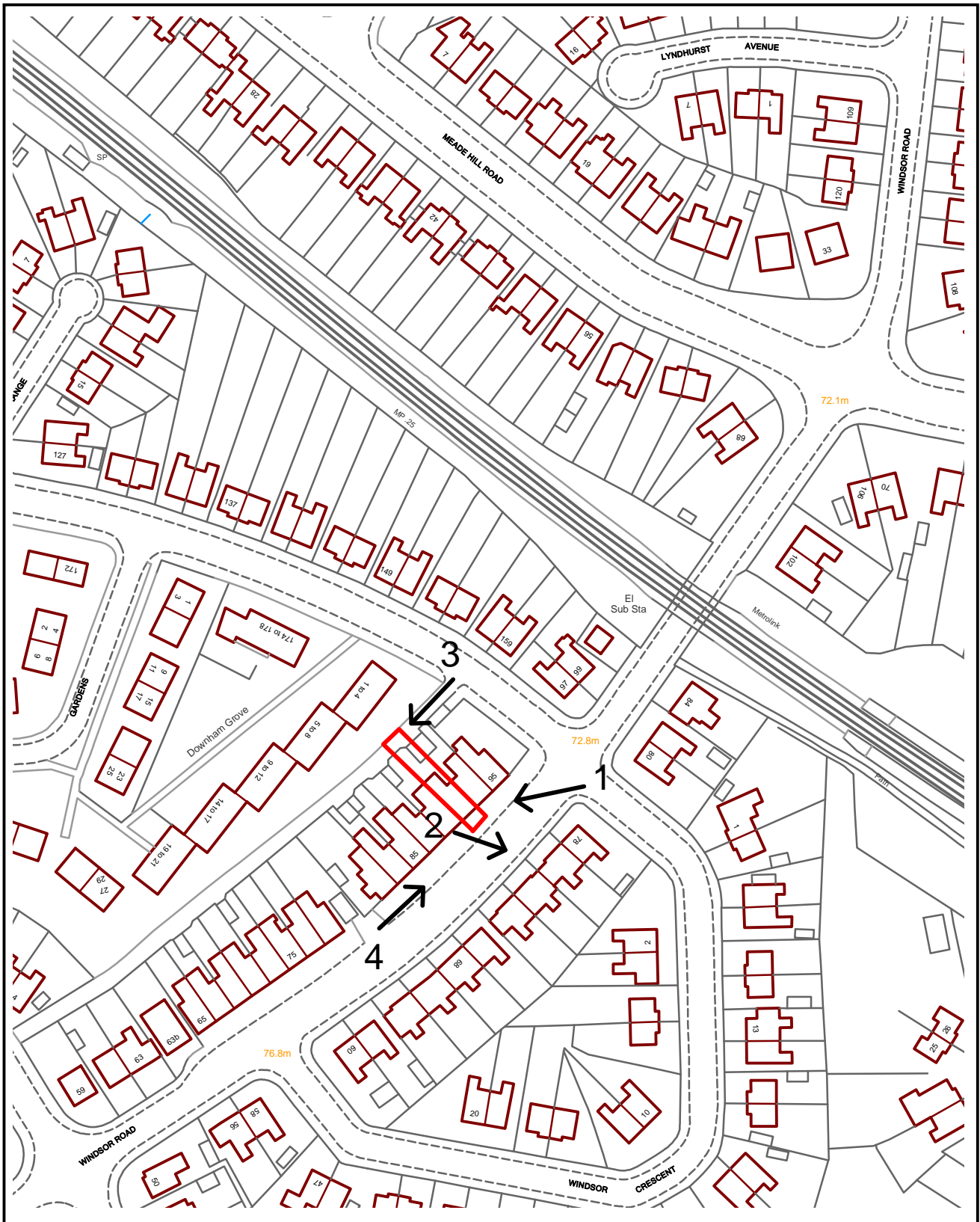
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 01, 02B and 03A and the development shall not be carried out except in accordance 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 use hereby permitted shall not be open to customers outside the following times: 0700hrs to 1800hrs.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/6 – Food and Drink of the Bury Unitary Development Plan.

4. Prior to commencement of development, full details, including levels, of the proposed decked area at the front shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of public safety pursuant to UDP Policy HT6/1 Pedestrian and Cyclist Movement.

5. The timber decked area and balustrade hereby approved shall be removed from site to the written satisfaction of the Local Planning Authority within two months of the cafe(A3) use ceasing operation.
Reason: In the interests of the visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57542

**ADDRESS: 91 Windsor Road
Prestwich**



Planning, Environmental and Regulatory Services 1:1250

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57542

Photo 1



Photo 2

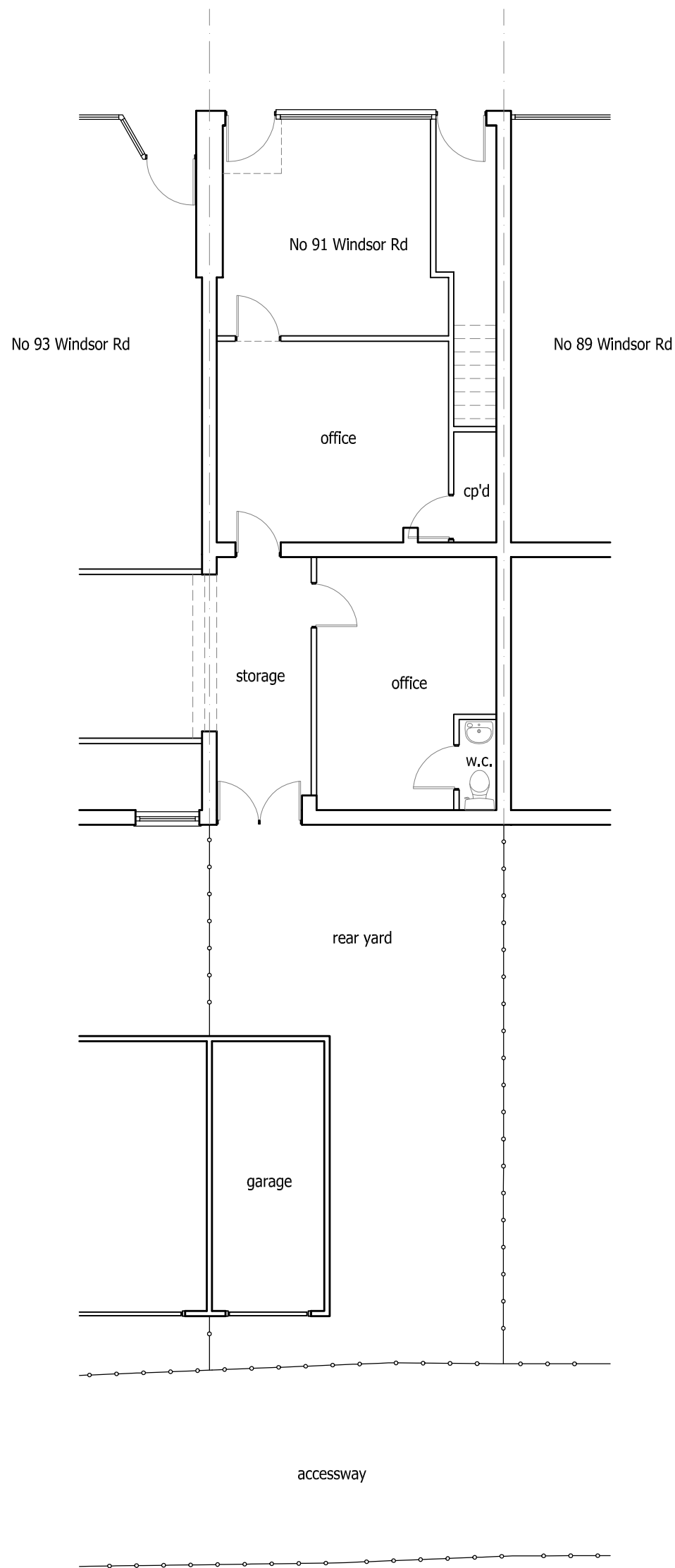
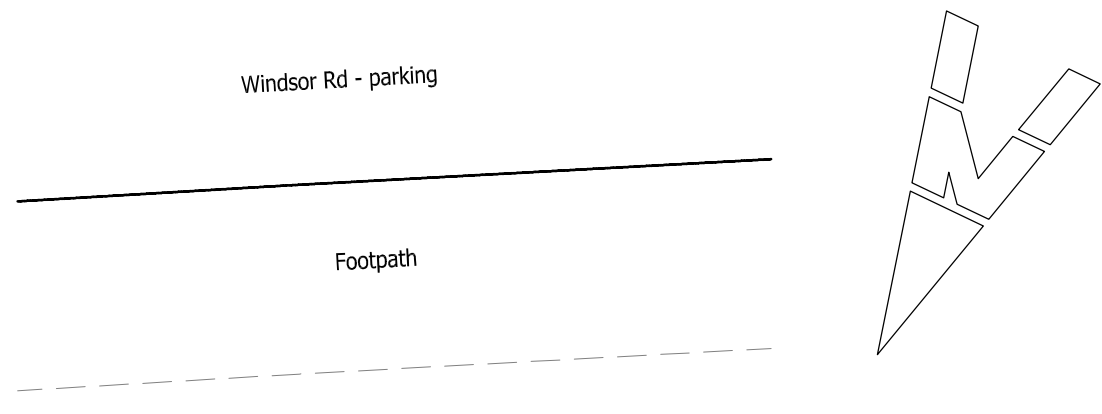


Photo 3



Photo 4





EXISTING GROUND FLOOR LAYOUT
Scale 1:100

SCALED @ A3

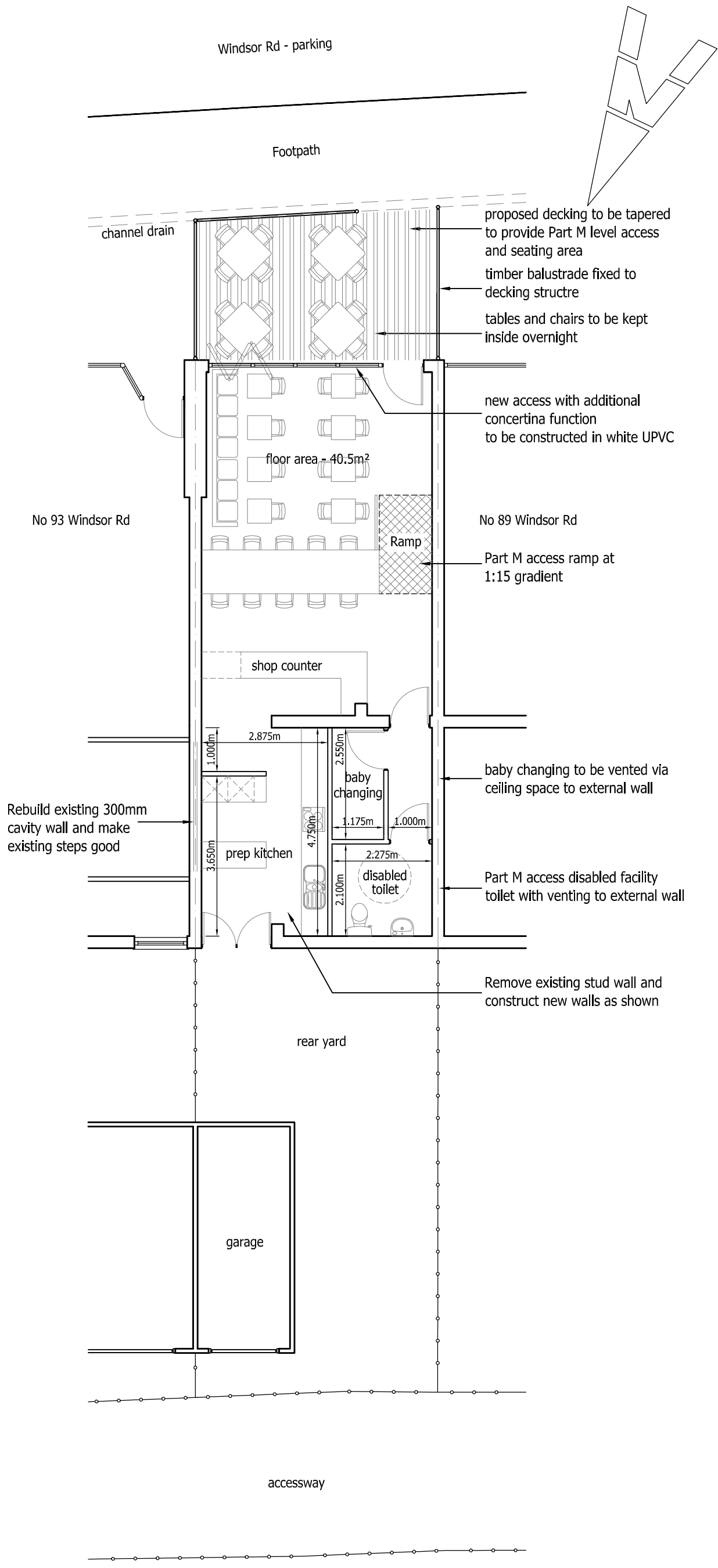


CLIENT:
LEE FERNANDEZ
46 DOWNHAM CRESCENT
PRESTWICH
M25 0FH

LOCATION:
91 WINDSOR ROAD
PRESTWICH
M25 0DB

JOB No.	DRAWING No.	REVISION
1402	01	-

DATE - FEBRUARY 2014



SCALED @ A3



CLIENT:
 LEE FERNANDEZ
 46 DOWNHAM CRESCENT
 PRESTWICH
 M25 0FH

LOCATION:
 91 WINDSOR ROAD
 PRESTWICH
 M25 0DB

PROPOSED GROUND FLOOR LAYOUT
 Scale 1:100

JOB No. 1402 DRAWING No. 02 REVISION B

DATE - FEBRUARY 2014



EXISTING ELEVATION (From Windsor Rd)
Scale 1:100



PROPOSED ELEVATION (From Windsor Rd)
Scale 1:100

SCALED @ A3



CLIENT:
LEE FERNANDEZ
46 DOWNHAM CRESCENT
PRESTWICH
M25 0FH

LOCATION:
91 WINDSOR ROAD
PRESTWICH
M25 0DB

JOB No.	DRAWING No.	REVISION
1402	03	A

DATE - FEBRUARY 2014

Ward: Radcliffe - North

Item 06

Applicant: Mr Chris Bleakley

Location: 87 Church Street, Ainsworth, Bolton, BL2 5RD

Proposal: Replacement dwelling (amended scheme)

Application Ref: 57571/Full

Target Date: 09/07/2014

Recommendation: Approve with Conditions

Description

This application relates to a part-built detached dwellinghouse on a residential plot on the eastern edge of Ainsworth Village. The site is 'washed over' by the Green Belt, West Pennine Moors and is an Area of Special Landscape. There are residential properties to the west and south and land to the north and east is open countryside. The immediate neighbour at No.85 is a detached bungalow with a gable in which there are two obscure glazed windows facing the site. Further west along Church Street, and across the road, are a mix of two storey houses and flats. There is a tarmac single track road (Green Lane) running north from Church Street along the eastern/side boundary of the site.

The part-built structure, in the form of a dormer bungalow, was a result of a previously approved scheme (52380) to replace the original bungalow, in May 2010. However, the subsequent dwelling was not built according to the approved plans and two amended schemes were refused in 2011 and 2012. Appeals to the Planning Inspectorate were also dismissed.

In summary, the existing structure was built approximately 3m further forward in the site than the approved plans indicated resulting in a slightly higher ground level and with larger gable outriggers front and back.

This application proposes a new scheme with revised house type. The main changes include:

- Regularise the positioning the house within the plot, further forward and set in from its previously approved location with a higher floor level (approx 400mm).
- Revised house design by removing the gables on either side, hipping and lowering the ridge height by 1.5m and forming two gables on the front and rear elevations.
- 2m boundary fencing around the rear garden.

Relevant Planning History

52380 - Demolition of existing dwelling and construction of replacement dwelling - Approved 21/05/2010

53981 - Variation of Condition 2 of 52380 - Approved drawings - Alterations in the design of the roof of two storey outrigger at front and rear, alteration of position of house. - Refused 24/08/2011. Appeal dismissed 27/07/2012.

54712 - Variation of Condition 2 - Approved Drawings - of 52380 - Replacement dwelling and access - Refused 25/01/2012. Appeal dismissed.

55980 - Variation of condition No.2 following granting of planning permission of 52380 for demolition of existing dwelling and construction of a replacement dwelling; amendment to position of property on site - Refused 24/04/2013. Appeal dismissed.

Publicity

The following 27 properties and the Ainsworth Community Association were notified by letter (initial) dated 19/05/14. Nos.75, 83 and 85, 140-172(even) Church Street, 49-57

Cockey Moor Road, 1a and b Summer Avenue and 83 Bury Old Road.

The immediate neighbour at No.85 and the Ainsworth Community Association were sent an amended plan letter (10 days) dated 03/07/14.

Comments based on the initial plans have been received from the immediate neighbour at 85 Church Street and the Ainsworth Community Association and are summarised below:

- The boundary hedge along the Green Lane boundary has been removed without planning permission and this may not have been on the applicant's land.
- Concerns remain about the drainage situation and that there will be run-off from the site into the neighbour's land.

Those parties that have made representations have been notified of the Planning Control Committee.

Consultations

Traffic Management - No objection.

Drainage Section - No comment to date.

Unitary Development Plan and Policies

OL1	Green Belt
EN1/2	Townscape and Built Design
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN6	Conservation of the Natural Environment
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN9/1	Special Landscape Areas
EN7	Pollution Control
NPPF	National Planning Policy Framework
SPD16	Design and Layout of New Development 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.

Planning Appeal Decisions - The previous applications for amended houses were refused on grounds that the finished building would constitute an intrusive feature in the street scene. The elevations are attached for information. The subsequent appeals were dismissed by the Planning Inspector whose comments within his final report are considered very relevant. With regard to character and appearance the report states:

' On the approach to the village from the east, the large expanse of brickwork to the side elevation and steep gable makes the dwelling very prominent. Whilst the height of the building is comparable with two storey properties nearby, other dwellings sit more comfortably in the street scene due to their traditional proportions.' The Inspector went on to conclude that the previous schemes:

'would have an unacceptable impact on the character and appearance of the area. There

would be conflict with Policies EN1/2, H2/1 and OL1/3 of the Bury Unitary development Plan as the proposals would have an unacceptable adverse effect due to their height, scale and layout; and the developments would not make a positive contribution to the form and quality of the surrounding area.'

In summary, the Planning Inspector considered that the amended schemes:

- appeared too bulky when viewed from the east as a result of the high eaves level on the outriggers which in turn accentuated the height and massing of the brickwork on the side elevation;
- would have an unacceptable impact on the character and appearance of the area;
- would not have a seriously detrimental impact on the neighbour;
- was satisfactory in terms of finished levels and drainage.

Visual amenity and streetscene. The proposed changes alter significantly the design, appearance and massing of the existing dwelling. In line with the main considerations of the Planning inspector's conclusions, the latest scheme has reduced the eaves height of the dwelling in addition to the overall ridge height. Unlike the previous revisions, the upper floor has been completely redesigned and appears proportionate and more attractive within the streetscene and therefore would be considered acceptable in terms of planning policies EN1/2 and H2/1.

The removal of the hedge adjacent to Green Lane, which would have partly helped screen the new dwelling, along the boundary on the eastern side of the site is regrettable, particularly as the Local Planning Authority has no control over land outside the site. However, over time grasses and shrubs should establish itself in this area and appear more natural in the landscape.

Residential amenity. Given that the new roof would now slope away from the boundary with No.85 Church Street and boundary fencing would be 2m high, it is not considered that there would be any serious harm caused to the residential amenity of this neighbour. The proposal would be acceptable and comply with UDP Policy H2/1 in respect to residential amenity.

Drainage. The run off from the building would go into the existing system and run-off from the garden area should be mitigated by the proposed drainage within the rear garden. Notwithstanding this, the current proposal would be subject to an appropriate condition which would require details of a scheme of drainage to be submitted and approved by the Local Planning Authority. This would be installed to mitigate the impact of surface water run-off.

Curtilage. The proposed curtilage would not be different to the previous dwelling and that indicated in the approved plans.

The concerns of the Community Association and the immediate neighbour with regard to the curtilage, boundary and drainage have been addressed in the above report.

On balance, it is considered that the revised scheme would be acceptable in terms of visual and residential amenity and complies with UDP policies.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to revised location plan and drawings numbered Site Plan 3150:07D and 01B, 02C, 03A, 04C, 05B and 06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, 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 prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
4. Details/Samples of the external finishing materials to be used in the dwellinghouse, areas of hardstanding and boundaries 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. 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.
5. The contaminated land Remediation Strategy (previously approved under application 52380) for the site shall be implemented to the satisfaction of the Local Planning Authority prior to the development being brought into use. 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 11 - Conserving and enhancing the natural environment.
6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) 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 11 - Conserving and enhancing the natural environment.

7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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 11 - Conserving and enhancing the natural environment.

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

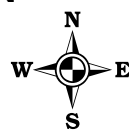
Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57571

**ADDRESS: 87 Church Street
Ainsworth**



Planning, Environmental and Regulatory Services 1:1250

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57571

Photo 1



Photo 2



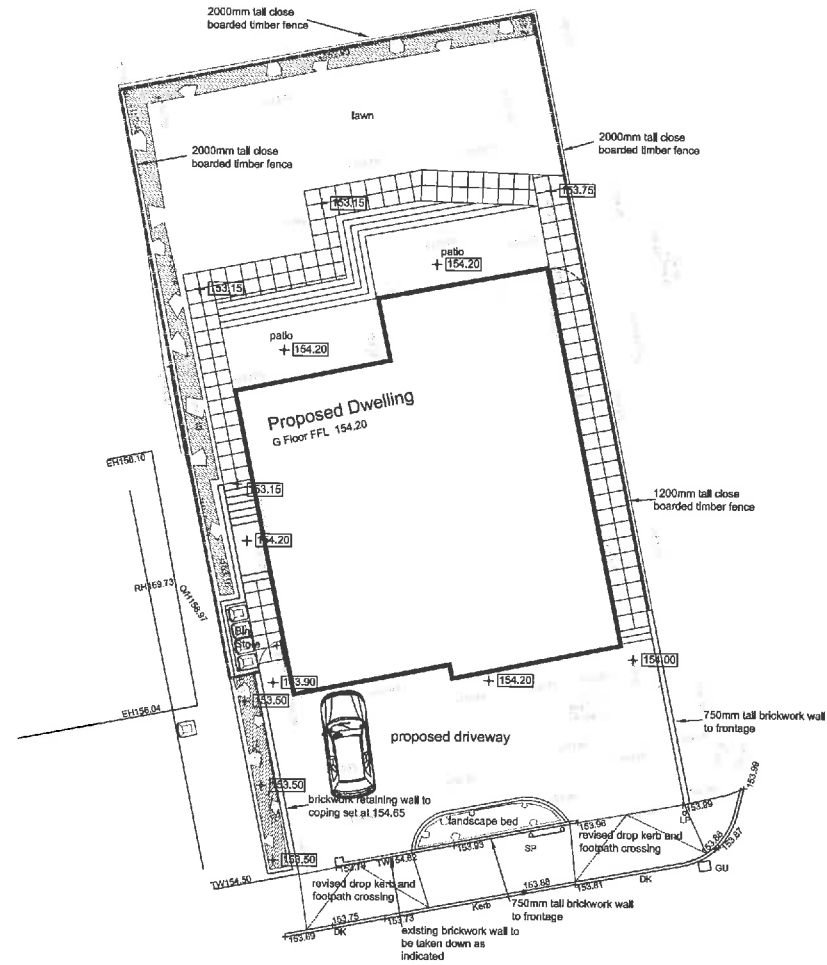
Photo 3



Photo 4



DO NOT SCALE DIMENSIONS FROM THIS DRAWING
ALL DIMENSIONS TO BE CHECKED ON SITE AND DISCREPANCIES REPORTED IMMEDIATELY TO THE ARCHITECTS



+154.00 Proposed Levels shown thus

D	2400mm tall fence reduced to 2000mm.	RH	02/07/14
C	EASTERN AND REAR BOUNDARIES AMENDED FOLLOWING COMMENTS FROM THE L.A.	DF	17/06/14
REV	DESCRIPTION	BY	DATE

R.A. FISK & ASSOCIATES
Architects

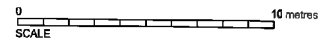
23 Chorley Road
Bambury
Manchester
M27 6AJ
Tel: 0161-763-5300
Fax: 0161-284-7199
email: info@rafisk.co.uk

CLIENT
C Brierley esq.

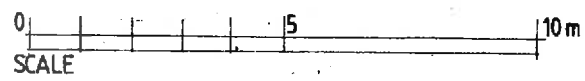
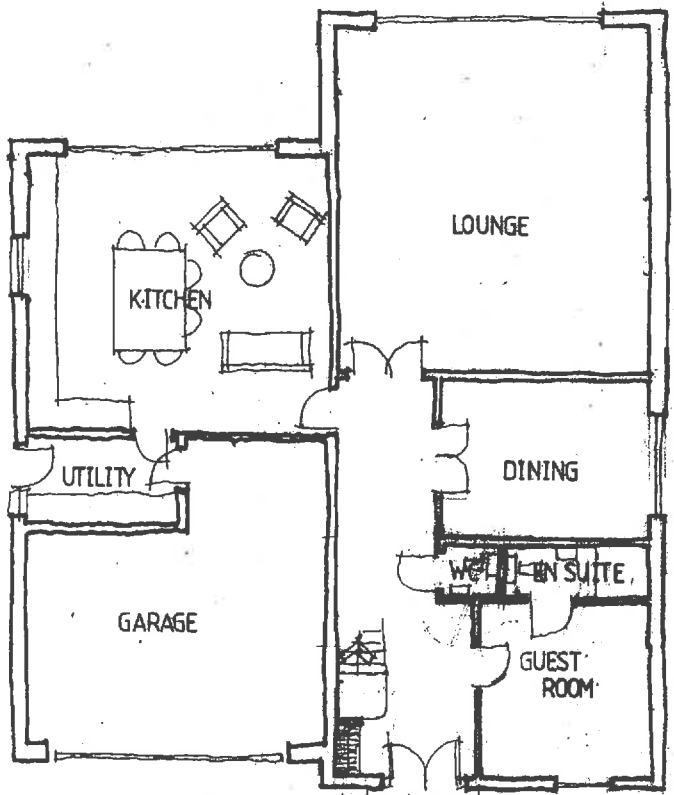
PROJECT
**Proposed Dwelling
Church Street, Ainsworth,
Bury, Lancashire**

TITLE
Site Plan

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DATE May 14	STATUS Planning		



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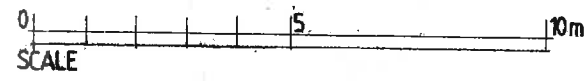
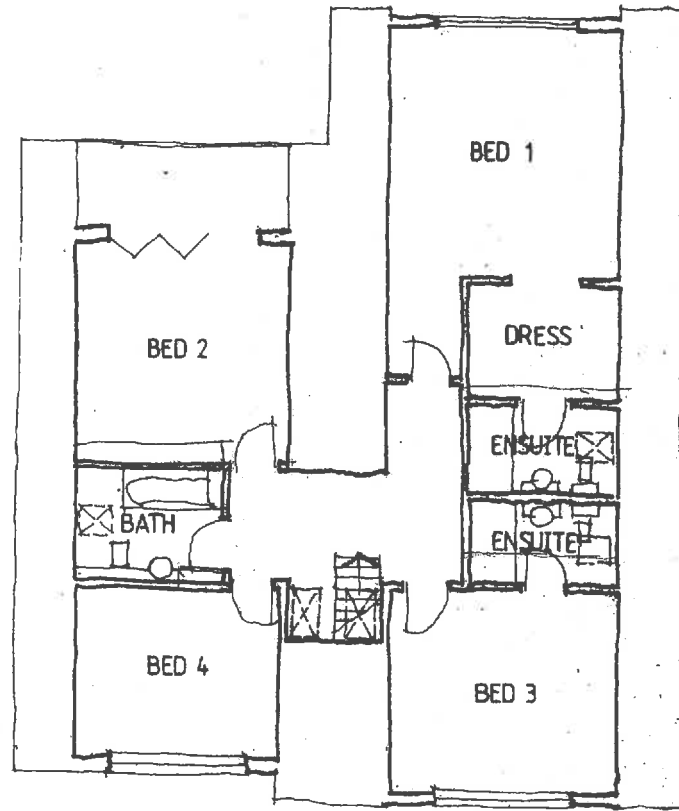
R.A. FISK & ASSOCIATES
 Architects

20 Chorley Road
 Swinton
 Manchester
 M27 9AJ

Tel: 0161-755-6300
 Fax: 0161-704-4798
 email: info@rafisk.co.uk

CLIENT			
PROJECT			
Proposed Dwelling CHURCH STREET AINSWORTH			
TITLE			
GROUND FLOOR PLAN			
SCALE	DRAWN BY	DRAWING No.	REV.
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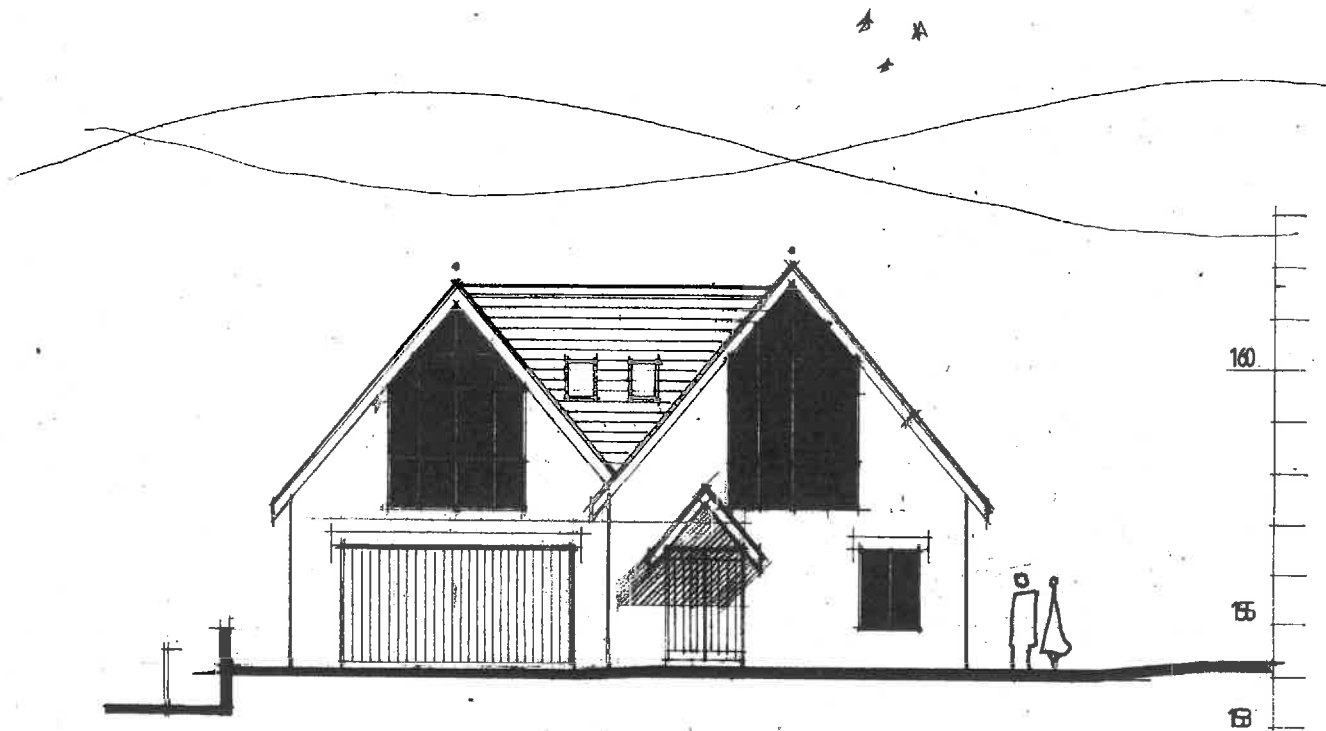
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CLIENT	C. Brierley esq.		
PROJECT	Proposed Dwelling CHURCH STREET AINSWORTH		
TITLE	FIRST FLOOR PLAN		
SCALE	DRAWN BY	DRAWING No.	REV
1:100 AT A3		02	C
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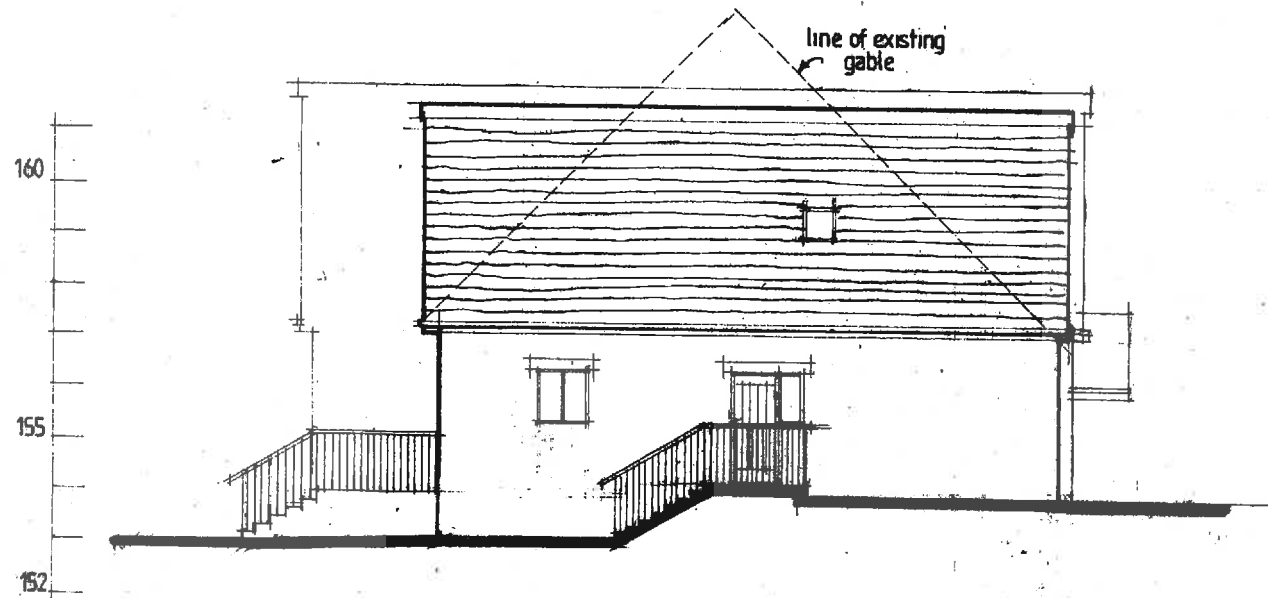


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CLIENT	C. Brierley esq.		
PROJECT	Proposed Dwelling CHURCH STREET AINSWORTH		
TITLE	Elevation to Church Street		
SCALE	DRAWN BY	DRAWING NO.	REV.
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R.A. FISK & ASSOCIATES
 Architects

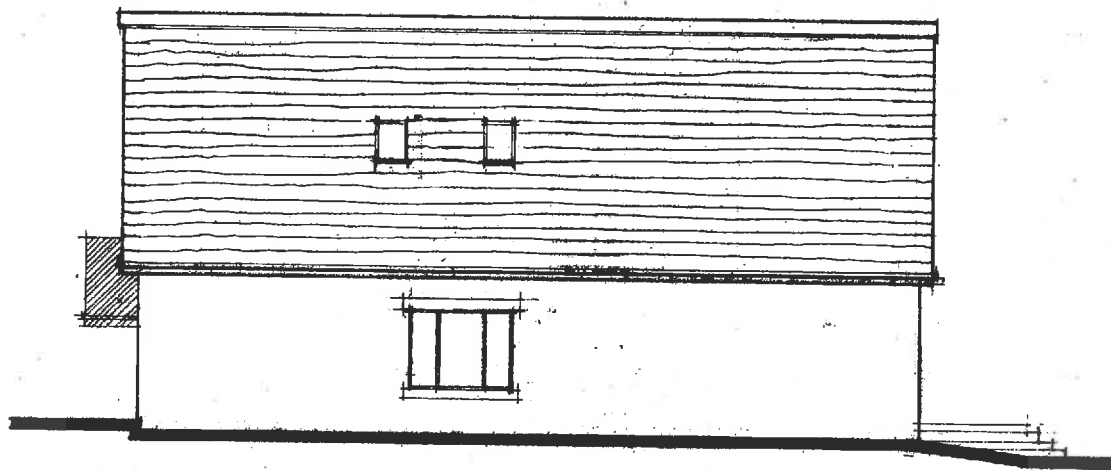
20 Chorley Road
 Denton
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 M27 6AJ

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 Fax: 0161 794-4709
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CLIENT			
PROJECT			
Proposed Dwelling CHURCH STREET AINSWORTH			
TITLE			
Side Elevation			
SCALE	DRAWN BY	DRAWING No.	REV.
1:100 at A3			
DATE	STATUS	04	3C

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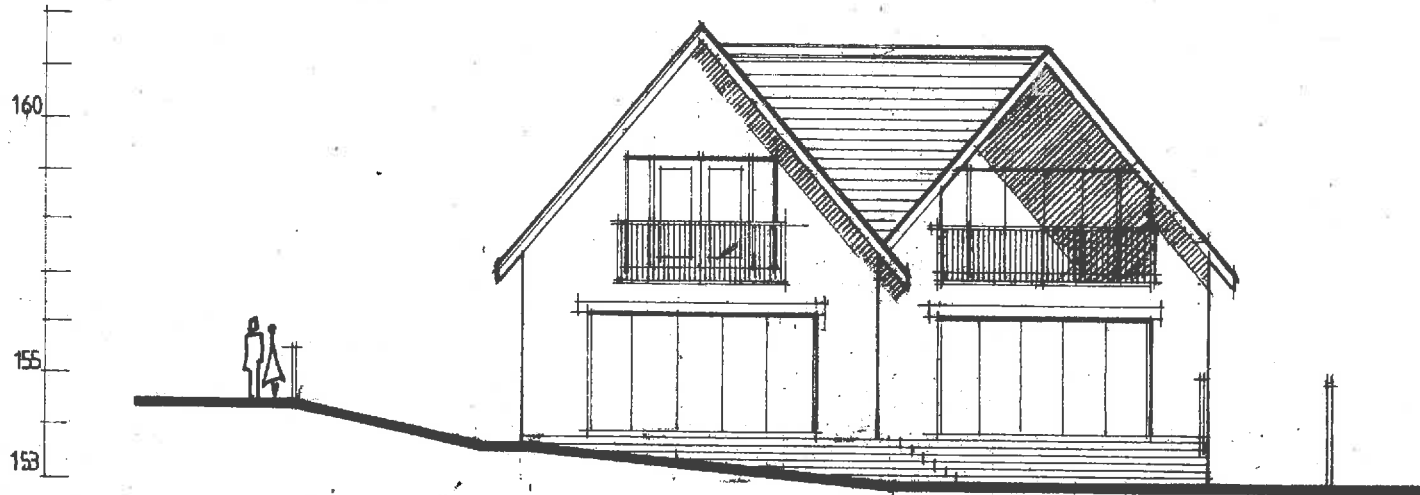
R.A. FISK & ASSOCIATES
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 Fax: 0161-794-4799
 email: info@rafisk.co.uk

CLIENT C. Brierley esq.			
PROJECT Proposed Dwelling CHURCH STREET AINSWORTH			
TITLE Side Elevation			
SCALE 1:100 at A3	DRAWN BY	DRAWING No. 3150:05	REV. B
DATE	STATUS		

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CLIENT	C. Brierley esq.		
PROJECT	Proposed Dwelling CHURCH STREET AINSWORTH		
TITLE	Rear Elevation		
SCALE	DRAWN BY	DRAWING No.	REV.
1:100 AT A3			
DATE	STATUS		06

Ward: Whitefield + Unsworth - Pilkington Park

Item 07

Applicant: Magnum Whiteline

Location: Magnum Whiteline 184-188 Bury New Road, Whitefield, Manchester, M45 6QF

Proposal: Two storey extension at side; Widening of access road at side and change of use of waste land at rear to form car park

Application Ref: 57586/Full

Target Date: 30/07/2014

Recommendation: Approve with Conditions

Description

The application relates to a commercial property within Whitefield District Centre, on the east side of Bury New Road, opposite Slattery's cake shop. The building gained planning approval for a change of use to a cafe/bar in November last year and work, including the demolition of part of the property, has recently commenced.

This revised application proposes to build a new two storey pitched roof extension on the site of the now demolished 188 Bury New Road. The new build would have a footprint approx 14m by 8m which would allow the side access road to be made wide enough to accommodate cars entering and exiting and a new footway would be formed adjacent to the side elevation. The new building would be set back 2m from the front of the existing cafe/bar and have a small forecourt bounded by a dwarf wall to the side and planters along the frontage. The ground floor and part of the first floor (48sqm) would accommodate additional cafe/bar seating space with a balcony at first floor level. An office (35sqm) would be to the rear. The building - existing and proposed - would be finished in a white render with a slate roof to match the adjoining building.

At the rear the parking would be reconfigured and extended into the previously heavily overgrown area at the rear of the existing unsurfaced car park. The new larger car park, for 25 cars, would be resurfaced and marked out with landscaping around the boundary. At the rear of the new build, there would be 4 spaces.

Relevant Planning History

56528 - Demolition of existing two storey building - 188 Bury New Road (D2) & erection of new two storey side extension to cafe bar 184 - 186 Bury New Road (A3/A4) - Approved 06/11/13.

Publicity

The following 36 residents and businesses were notified by letter dated 5/06/14. 178-200 Bury New Road, 2-18 Morley Street, 6-10 Nuttall Mews, 2A and 23 Nuttall Avenue.

Representations have been received from 10 Morley Street, 2A Nuttall Avenue and 8 and 10 Nuttall Mews. Comments are summarised below:

2A Nuttall Mews -

- There would be a substantial increase in off-road vehicle movement and therefore an increase in noise and light pollution, especially in the evening. This is a particular worry given the change in levels between the site and 2A Nuttall Mews and the position of a bedroom window.
- Increased overlooking from the car park.
- The current vegetation on the land at the rear mitigates excess water runoff and helps drainage.

10 Morley Street and 8-10 Nuttall Mews -

- Increased cars would generate noise and disturbance day and night.
- There may be a security problem if people can climb the boundary fence.
- Access for Nuttall residents could be improved instead.

Those making representations have been renotified by revised letter dated 14/07/14 and have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Greater Manchester Police - No comment to date.

Unitary Development Plan and Policies

S1/3	Shopping in District Centres
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN5/1	New Development and Flood Risk
EN7	Pollution Control
EC4/1	Small Businesses
EC5/2	Other Centres and Preferred Office Locations
S2/6	Food and Drink
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development 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.

Use - Given that the previous approval for a new cafe/bar use with offices, the principle of the use of the building is established and to be welcomed within the existing district centre. The extension of the existing car park is the significant alteration and is generally acceptable in this district centre location. In land use terms the car park and the new building should be assessed against UDP Policy and its impact on traffic, highway safety and visual and residential amenity.

The proposal is considered to be acceptable in principle and complies with UDP Policy S1/3 Shopping in District Centres.

Visual Amenity - The proposed new building would be better designed than the existing rather run down property and would appear more appropriate within the street scene. The proposal would be acceptable in terms of visual amenity and comply with UDP Policy EN1/2 Townscape and Built Design.

Residential amenity - Given the nature of the previous use (massage parlour) with rear

access and very late opening hours, the new use/building would not pose any serious residential amenity issues to the nearest residents who are situated to the rear, on Nuttall Mews. There would be more vehicular movements within the new car park however this should not pose a serious harm to amenity given that there is a landscaped buffer strip around the boundary.

Traffic - The demolition of the existing building and its replacement with a narrower building, set back from the road, would result in a wider access road to the side with improved access from and onto Bury New Road. Parking spaces would be lost immediately to the rear of the building but this is not considered to be significant given the larger car park that would be formed and the improvements to the access. The proposal is considered to be acceptable in terms of traffic and complies with UDP Policy S2/6 Food and Drink, HT2/4 Car Parking and New Development and HT6/2 Pedestrian and vehicular conflict.

Services - Servicing would be via the next door bar/cafe to which this property would form part.

Representations - The concerns of those making representations have been addressed by the revised plans, which have reduced the numbers of car parking spaces as well as creating a landscaped buffer strip around the boundary.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1/1, 1/2, 2/1B, 2/2B, 3/1A, 3/2A and 4B 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. No development, other than the demolition of the existing building, shall commence unless and until the proposed access improvements indicated on approved plan reference 2/2, incorporating the widening of the access at its junction with Bury New Road, been implemented to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of road safety pursuant to UDP Policy HT6/2 Pedestrian/Vehicular conflict.

5. The pedestrian visibility splay formed between the widened site access and the proposed 900mm high splayed wall indicated on approved plan reference 2/2 shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

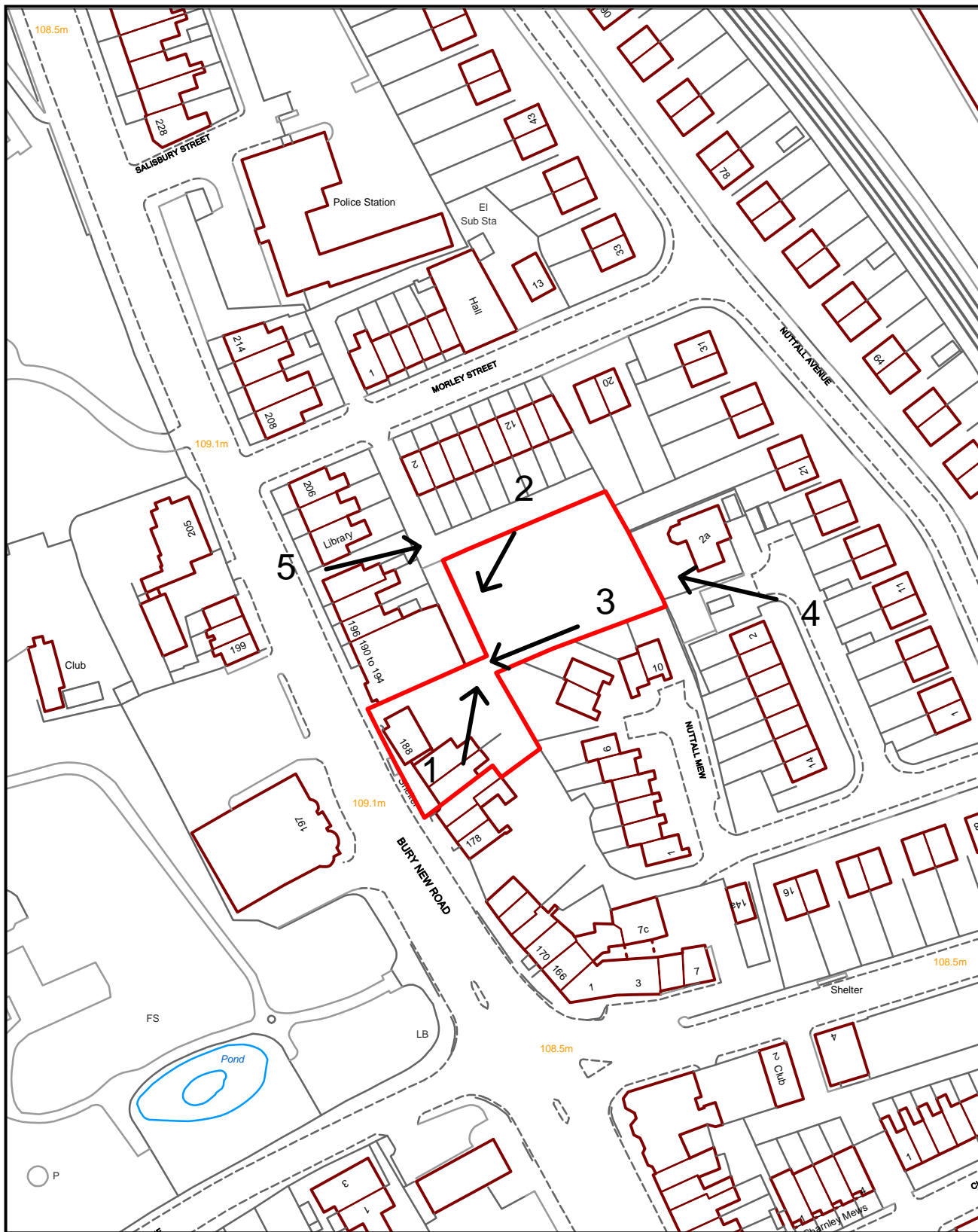
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to UDP Policy HT6/2 Pedestrian/Vehicular conflict.

6. Prior to commencement of development, details of the proposed car park, including surfacing, drainage and associated landscaping, shall be submitted in writing to the Local Planning Authority. The car parking shall be surfaced, demarcated, landscaped and made available for use in accordance with the approved details and thereafter maintained at all times.

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

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57586

**ADDRESS: 184-188 Bury New Road
Whitefield**



Planning, Environmental and Regulatory Services 1:1250

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57586

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5

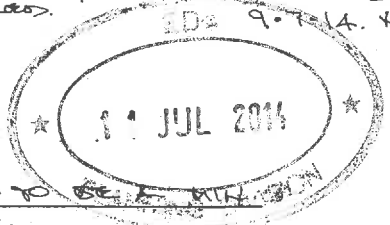


PROPOSED NEW CAR PARK, & WIDER ACCESS ROAD, TO SERVE NEW CAFE BAR & OFFICES, AT 184-188 BURY NEW ROAD, WHITEFIELD.

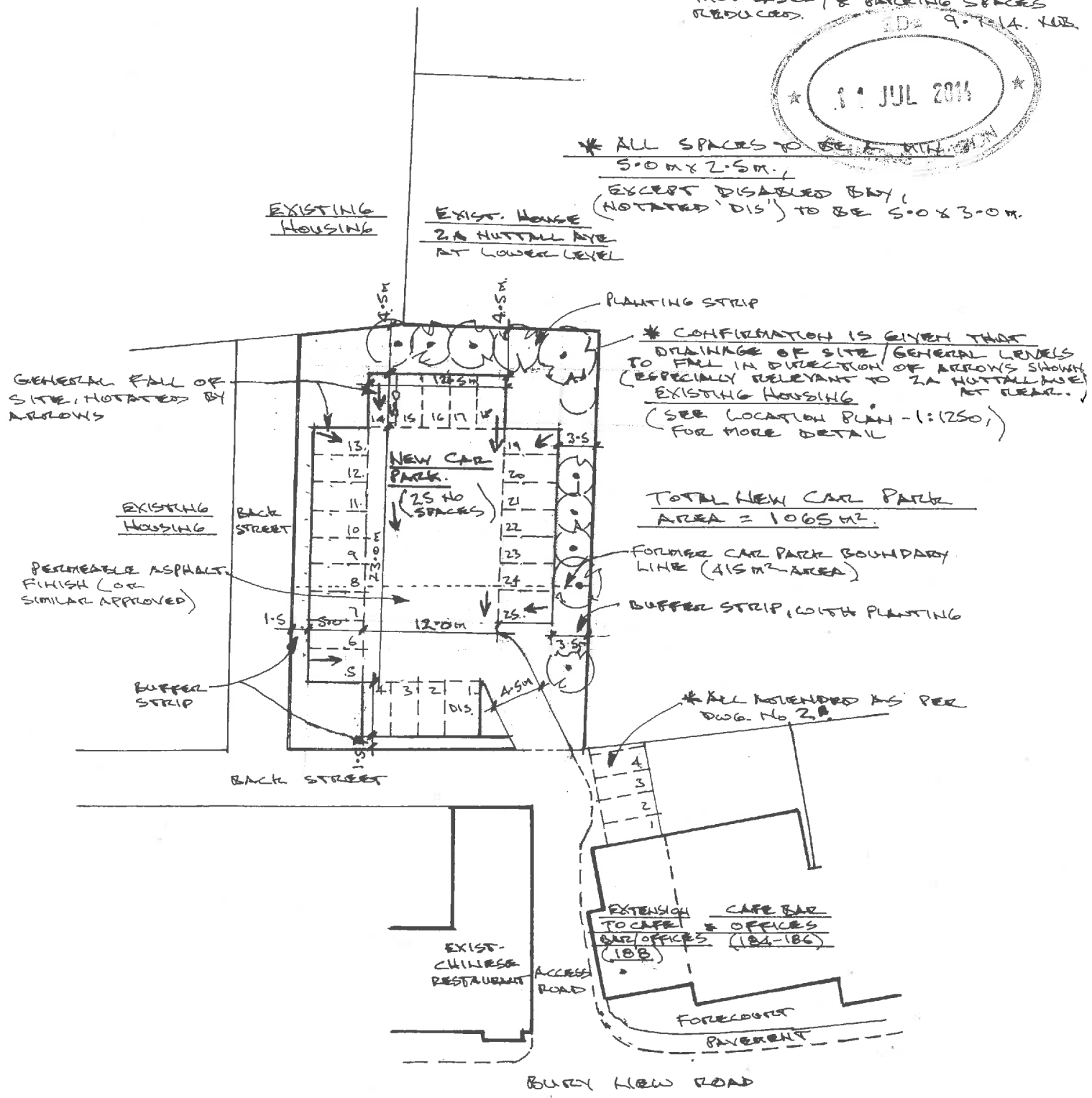
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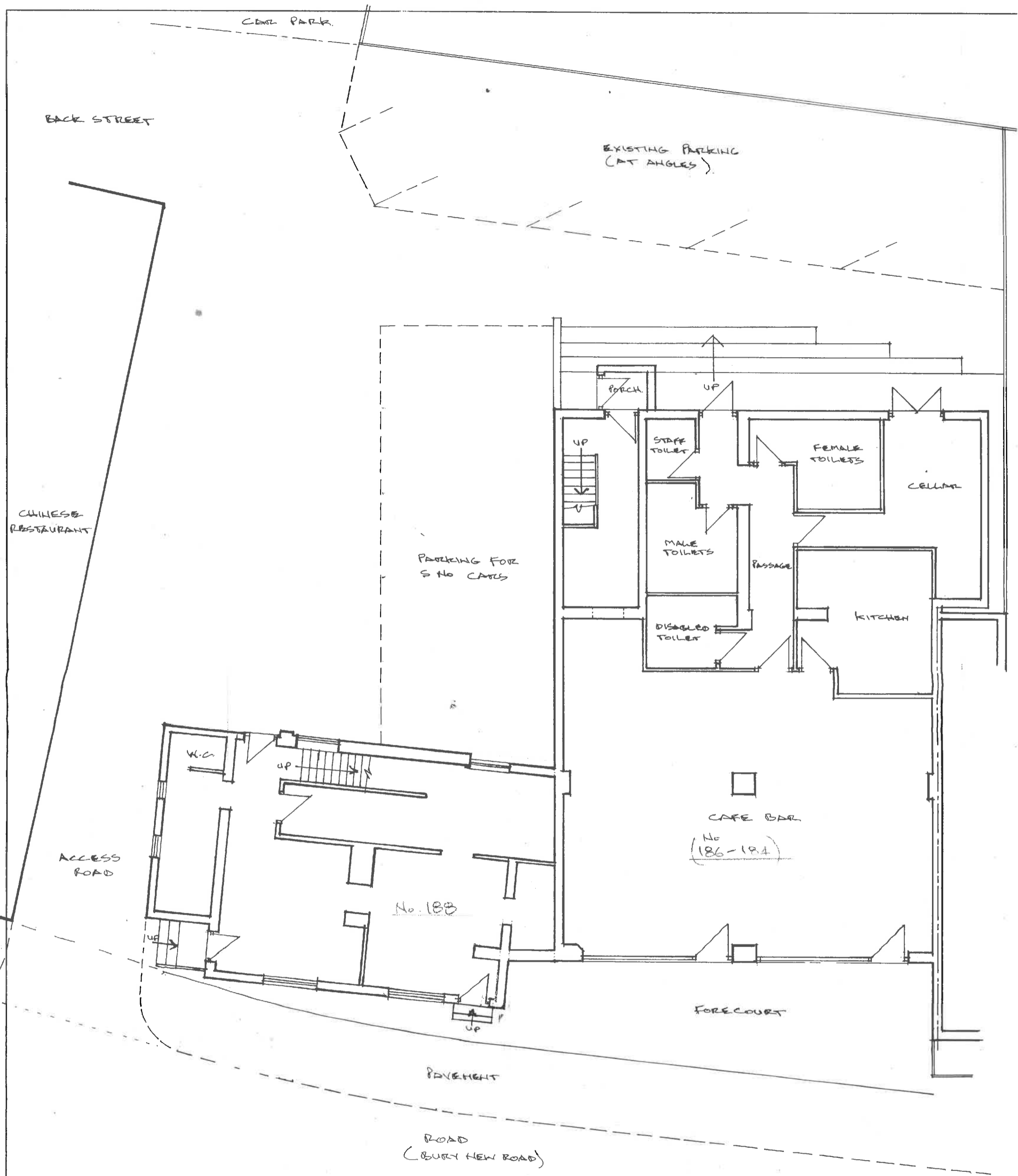
DWG. No. 4^{A/B}

REV. A. - PARKING LAYOUT EXTENDED, SHOWING BUFFER ZONE ALL ROUND & GENERAL NOTE RE DRAINAGE ADDED. 1.7.14. NB.
 REV. B BUFFER ZONES TO 2 SIDES INCREASED, & PARKING SPACES REDUCED. 9.7.14. KLB



* ALL SPACES TO BE 5.0M X 2.5M, EXCEPT DISABLED BAY, (NOTATED 'DIS') TO BE 5.0 X 3.0M.



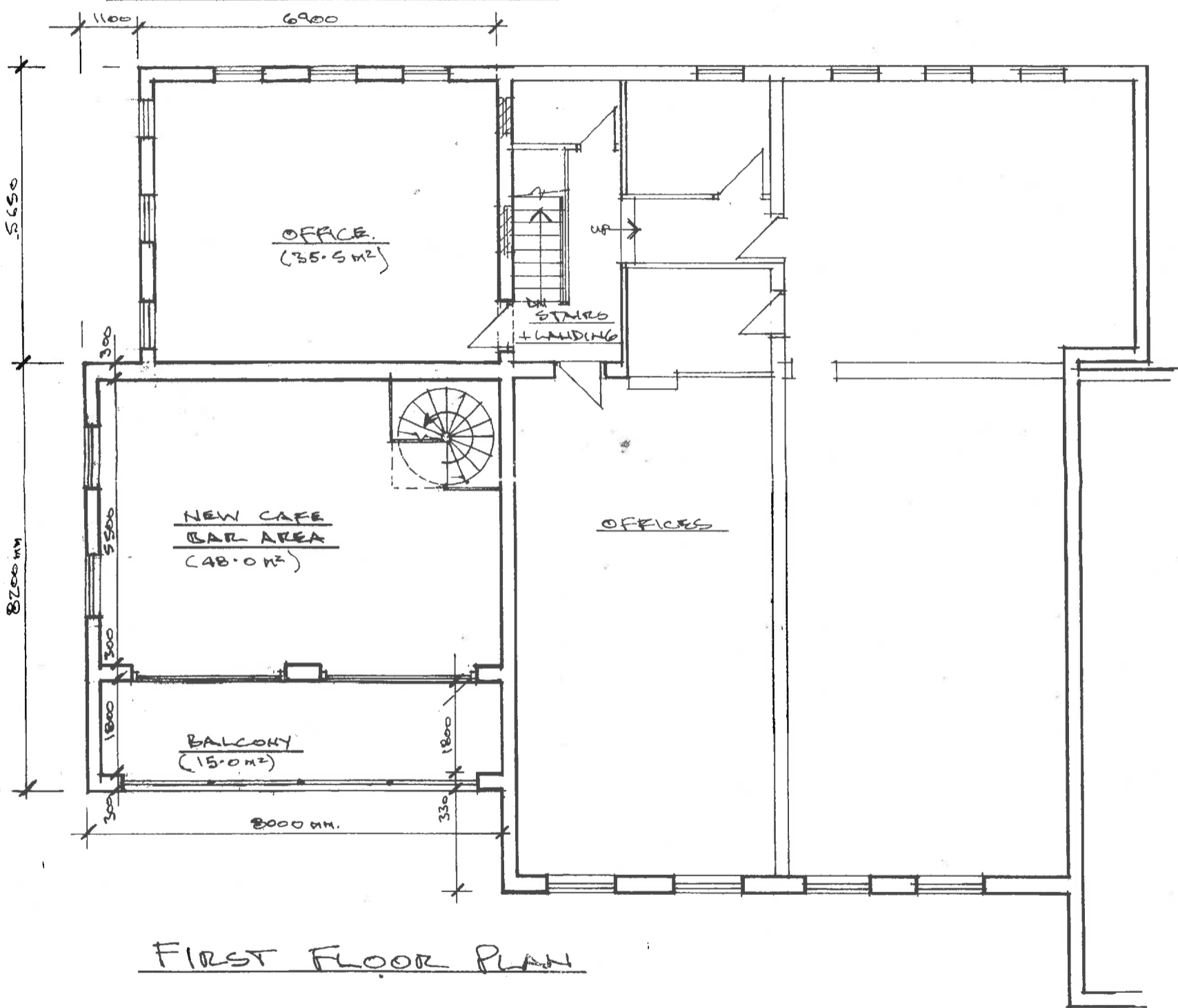


GROUND FLOOR PLAN.

ERECTOR OF TWO STOREY SIDE
 EXTENSION, TO CAFE BAR/OFFICES,
 AT 184-188 BURY NEW ROAD,
 WHITEFIELD
 EXISTING PLANS & ELEVATIONS
 SCALE 1:100 DWG. No 1/2



FRONT ELEVATION.



FIRST FLOOR PLAN

Architectural & Building Services

NEIL BUTTERWORTH

Tel:
Mobile: 07785 275483

89 Higher A insworth Road,
Radcliffe, Manchester M26 4JJ



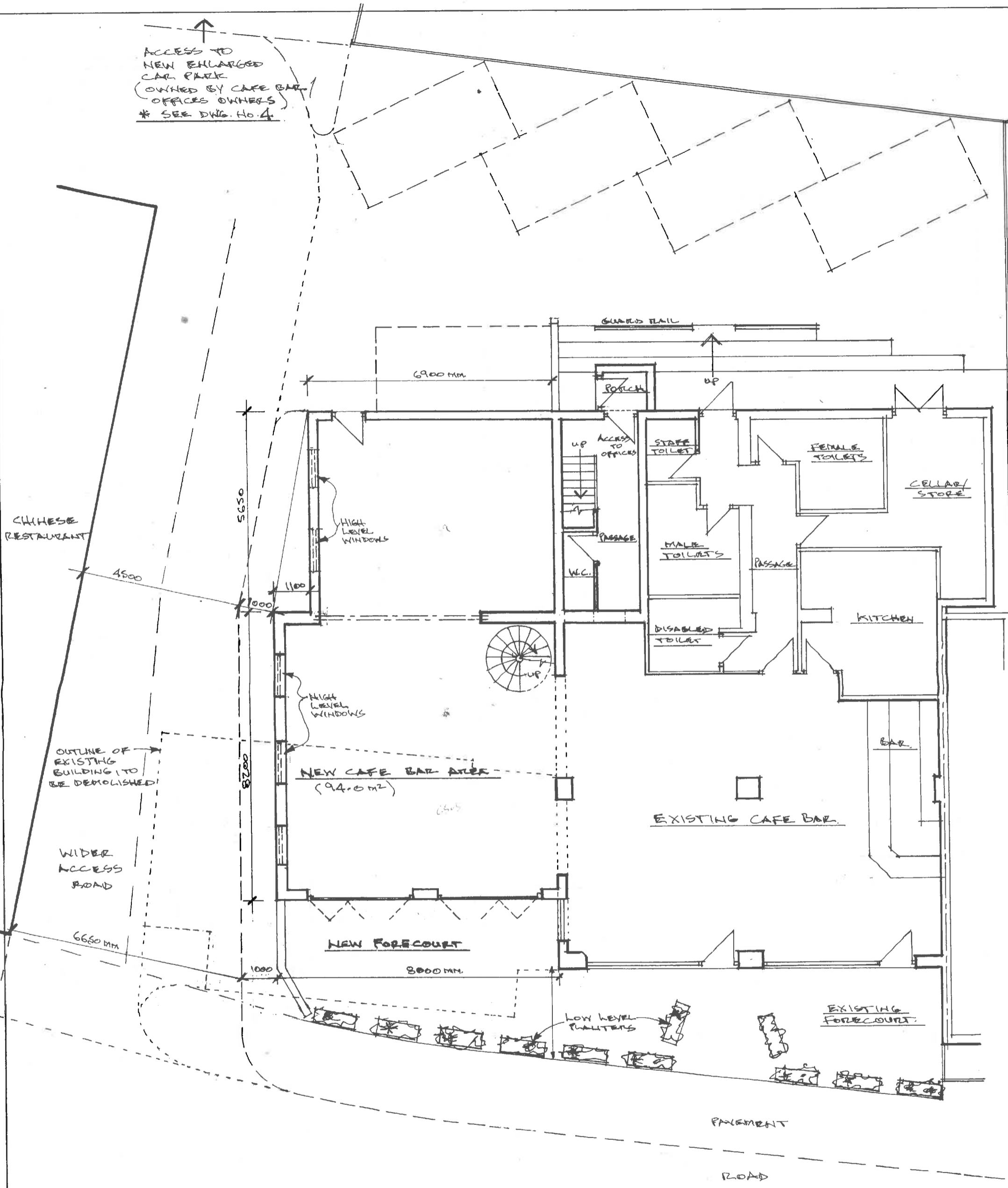
Job Title PROPOSED DEMOLITION OF EXIST. BUILDING (), & ERECTION OF TWO STOREY SIDE EXTENSION TO CAFE BAR/OFFICES, AT 184-188 BURY NEW RD., WHITEFIELD.

Drawing Title PROPOSED PLANS & ELEVATIONS

REV. A - EXTENSION ENLARGED AT REAR, & REDUCED IN WIDTH AT FRONT, TO GIVE WIDER ACCESS ROAD + WINDOWS ADDED/ATTENDED TO SIDE ELEVATION.
S-S-12. H.B. © copyright.

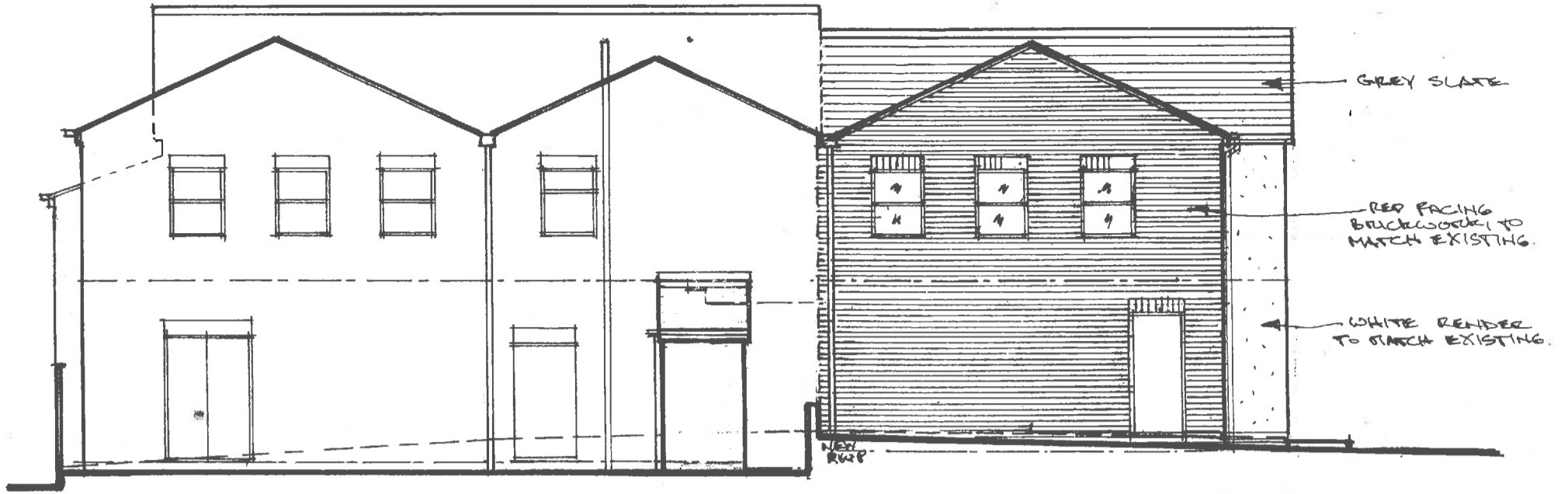
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↑
 ACCESS TO
 NEW ENLARGED
 CAR PARK
 OWNED BY CAFE BAR
 OFFICES OWNERS
 * SEE DWG. No 4

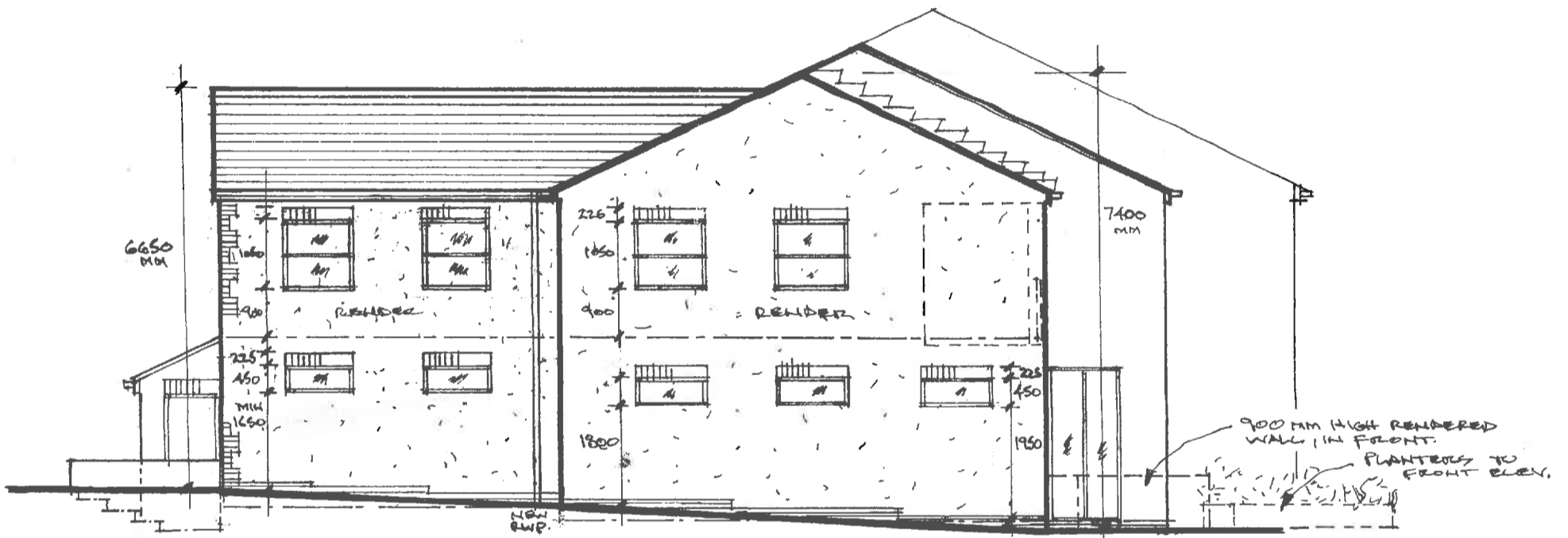


GROUND FLOOR PLAN.

ERECTION OF TWO STOREY SIDE
EXTENSION TO CAFE BAR/OFFICES,
AT 184-188 BURY NEW ROAD,
WINTERFIELD
PROPOSED PLANS & ELEVATIONS
SCALE 1:100 DWG. No 2/2A



PROPOSED REAR ELEVATION.



PROPOSED SIDE ELEVATION

ERECTOR OF TWO STOREY SIDE
 EXTENSION TO CAFE BAR/OFFICES,
 AT 184-188 BURY NEW ROAD,
 WHITEFIELD
 EXISTING/PROPOSED ELEVATIONS
 SCALE. 1:100
 Dwg. No 3/2A

Ward: Bury East

Item 08

Applicant: Esselle Properties Ltd

Location: 26 Silver Street, Bury, BL9 0DH

Proposal: Change of use of ground floor and part of first floor to restaurant (Class C3);
Subdivision of building to form offices at ground, first and second floors (Class B1);
New entrances formed on Bank Street and Silver Street; Internal alterations

Application Ref: 57636/Full

Target Date: 30/07/2014

Recommendation: Approve with Conditions

Description

The application involves the former Barclay's Bank, a prominent Grade II Listed Building circa 1868, which is located within the town centre Conservation Area. It is a substantial corner building of classical style constructed of Ashlar stone with moulded plinth and rusticated bands across ground floor and cornice across upper floors. The middle bay facing Silver Street projects slightly and encompasses an impressive arched main entrance. Where the building turns the corner onto Bank Street, evidence suggests that this south western element of the building was originally a building in its own right, characterised by a lower flat roof and elevations of a totally different character. Historical prints identify there was formally a door way in the right hand bay.

The building is noted in the Bury Town Centre Conservation Area Appraisal (2007) as a significant building due to its listed status.

The most recent external alterations to the building involve the provision of an access ramp and the removal of the ATM and reinstatement of stonework.

The application seeks a mixed use development of restaurant and offices with external and internal alterations. The proposals comprise:

- Change of use of the ground floor and part first floor to restaurant, including the creation of a mezzanine floor. This would be accessed off Silver Street via the existing main entrance;
- Separation of the 3 storey section at the western end of the building to create offices at ground, 1st and 2nd floors. A new doorway would be inserted into an existing window opening on Bank Street to form a separate access to this part of the building. An internal lift is proposed to access the upper floors.
- Office accommodation at first and second floors. This would be accessed via a new entrance off Silver Street which would be inserted in the far right window opening on this elevation. It would be formed in a contemporary style with frameless glazing and a canopy. It would lead into a lobby area where there would be access via a staircase or existing lift.
- Internal alterations to facilitate the separation of the building.

Relevant Planning History

43831 - Internal and external access ramp and relocation of atm's (resubmission) - Approve with Conditions 11/02/2005

43832 - Listed building consent - access ramp (internal & external) and relocation of atm's in respect of works to provide access for disabled users (resubmission) - Approve with Conditions 11/02/2005

43932 - Installation of 7 no. air conditioning systems, 7 no. condensing units to be located on the rear external wall of the building - Approve with Conditions 09/03/2005

43933 - Listed building consent - installation of 7 no. air conditioning units, 7 no. condensing units to be mounted on the rear external wall - Approve with Conditions 09/03/2005
52972 - LBC for the removal of ATM and the reinstatement of void left by their removal - Approved 24/9/2010.
53396 - Change of use from (Class A2 Bank) to A3 (Restaurants and Cafes) and A4 (Drinking Establishments) - Approve with Conditions 14/01/2011
53530 - Listed Building Consent - Re-paint all window frames, front door (and frame) and hand railings on Silver Street - Approve with Conditions 03/02/2011
57645 - Listed building consent for change of use of ground floor and part of first floor to restaurant (Class C3), subdivision of building to form offices at ground, first and second floors (Class B1), new entrances formed on Bank Street and Silver Street and internal alterations - Concurrent application.

Publicity

12 letters sent on 11/6/2014 to properties at 17-19, 21,22,24 Silver Street; 2-6, 5,8, 1st floor 8 Bank Street; 5, 1st and 2nd floors 5 Broad Street; Unitarian Church Bank Street; The Fusilier Museum Moss Street.
Site notice posted 19/6/2014.
Press advert in the Bury Times 19/6/2014.

One letter received on behalf of Bury Unitarian Church in association with planning application reference number 57645 for Listed Building Consent, which raises the following issues:

- The location does not allow for any parking near the premises. There is limited meter controlled parking only on Silver Street and Bank Street. As far as the church is concerned, all its parking is in use at all times. Would hope that patrons to the restaurant and office facilities would not expect to use the church car park without permission and free of charge.
- A restaurant could prove disruptive to church activities particularly on Sundays, Saturday evenings and week day evenings. People entering or leaving the restaurant may be inclined to make a noise disturbing visitors to the church and creating bad feeling;
- The church is situated in the Heritage Quarter of Bury town centre and note that the building is listed and a good example of fine architecture. Hope that the alterations will be in keeping with the existing style and its surroundings. Concern that another eating establishment on Silver Street would further destroy the ethos of the area, which is less desirable than it used to be. The more permissions granted for food establishments the more likely the deterioration of the area.

The objector has been informed of the Planning Control Committee meeting.

Consultations

Traffic Section - No objection.

Drainage Section - No response received.

Unitary Development Plan and Policies

Area	Manchester Road/Knowsley Street
BY4	
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
S2/6	Food and Drink
HT5/1	Access For Those with Special Needs
EN7/1	Atmospheric Pollution
EC5/1	Office Development in Bury Town Centre
NPPF	National Planning Policy Framework
TC2/1	Upper Floors

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 - The NPPF recognises town centres as the heart of communities and supports proposals to ensure their vitality and viability. It advocates a mix of uses are important to the needs and functions of a town centre. In addition, the NPPF and Bury UDP Policies EN2/1, EN2/2 and EN2/3 Conservation policies, seek to support development which would preserve and enhance areas of special character and buildings of historic importance.

Principle - The principle of the change of use to a restaurant has previously been established, albeit the permission expired January 2014. Other than the NPPF, there have been no policy changes which would alter the acceptability of the proposed development. This part of Bury has become a key focus for the town's evening economy and an area for bars and eating establishments. The property is within the historic core of the town centre and the proposed development would bring back into use an important, vacant Listed Building in a prominent location.

In terms of the office use, the NPPF and UDP Policy EC5/1 advocates the importance of mixed uses within a town centre to deliver a strong, responsive and competitive economy, and as such, office accommodation in this location is considered to be acceptable in principle.

The proposed changes of use would make a positive contribution to the vitality and viability of the town centre and subject to the considerations below, are considered to be acceptable in principle and in compliance with the NPPF.

Design and appearance - External alterations to the building comprise of two new entrances.

The new entrance off Silver Street would be formed within the far right ground floor window opening. The stonework below the window would be removed and a fully glazed frameless door inserted. A lightweight glazed canopy structure would be fixed to mark the entrance, and being glazed would not interrupt the verticality or architectural detailing of the building. The applicant has demonstrated that the insertion of the doorway could be reversed in the future, and the window and blockwork could be reinstated, as has successfully been achieved on the other side of the building following the removal of the ATM.

From historical information, there is evidence to show that the western element of the building on Bank Street was originally a separate building in its own right, with a door opening in the existing right hand window bay. As such, the insertion of a doorway in this location would essentially reinstate this part of the building back to its original state. The drawings demonstrate that this could be achieved without disruption to any other part of the fenestration of this elevation and as such is considered to be acceptable.

The proposed external alterations would enable the building to be successfully segregated with little significant impact to the fabric of the building and as such the alterations are considered to be acceptable and comply with EN1/2, EN2/1, EN2/2 and EN2/3.

Access - The existing entrance off Silver Street would be maintained as access into the restaurant, which already has a ramp, handrail and steps in place.

The proposed new entrance off Silver Street would serve the office development on the upper floors with access provided by an existing ambulant staircase and lift.

The reinstatement of the access from Bank Street would serve the other office accommodation to this part of the building. The internal levels differences would necessitate a stepped access into the building and a hand rail is to be provided. A ramped access to a side door is available and a small ramp provided internally within the staircase. There is an existing staircase and a new lift would be provided to the upper floors.

As such, access into the building is considered to be acceptable and would comply with HT5/1.

Residential amenity - There are no private residential flats connected with this building or immediately adjacent. There are however, flats above some of the bars and restaurants further along Silver Street. Given the character of the area as a Cultural Quarter which is already defined by eateries and drinking establishments, and the distance away from these residencies, the changes of use are considered not to be detrimental to residential amenity, and would comply with UDP Policy EN2/6.

Parking - The building is located within a town centre with excellent public transport links. There is also plenty of on - street parking and there are public car parks in the surrounding area. Being in a sustainable town centre location, dedicated parking provision would not be expected.

Extraction system - It is proposed to install an extraction flue which would project through the kitchen roof and rise vertically and externally within an alcove or 'well' area at the north end of the building. There are 2 existing ventilation/air conditioning units which are enclosed within this area and the proposed flue would be the same height as these, would not project any higher than the building's roof ridges and would be completely concealed from any views. It would be located away from any nearby residential properties.

A condition to submit a scheme to demonstrate the treatment of fumes and odours would be required by condition.

As such, the proposal would comply with EN7/1 - Atmospheric Pollution.

Response to objector - The proposed premises are located within a town centre and as such dedicated parking would not be expected to be provided. This is the case with most town centre uses and certainly for the other similar type uses in the Silver Street area. Parking for the Unitarian Church is clearly private and for users/visitors to the Church only, and would be a matter for the Church to manage.

The proposed development would not be directly adjacent to, or connected to the Church, and would be separated by a road and public gardens. There are already a mix of uses in the area, and it is considered the addition of one restaurant would not significantly add to existing activity in the area.

The objection in relation to the external alterations has been covered in the above report and also detailed in the concurrent Listed Building Consent application (reference 57645).

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

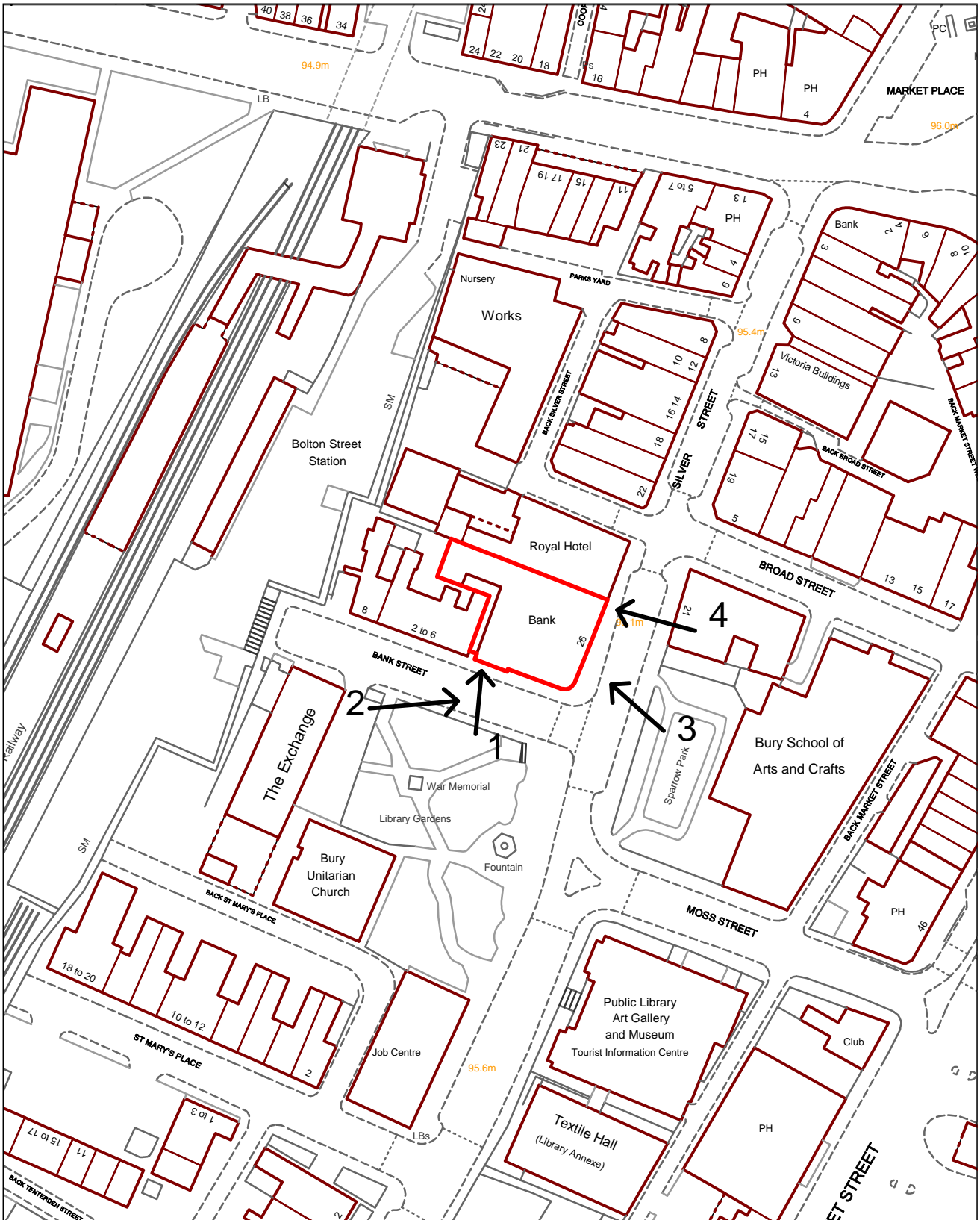
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered Location Plan C-0213-SLP; Existing plans C-0213-01; Existing elevations C-0213-05; Proposed plans C-0213-10; Proposed elevations C-0213-15; Proposed entrance details C-0213-20; Design and Access Statement 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 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 that is a member of the Heating and Ventilation Contractors Association (HVCA), 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. To protect 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 **Jennie Townsend** on **0161 253-5320**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57636

**ADDRESS: 26 Silver Street
Bury**



Planning, Environmental and Regulatory Services 1:1250

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57636

Photo 1



Photo 2

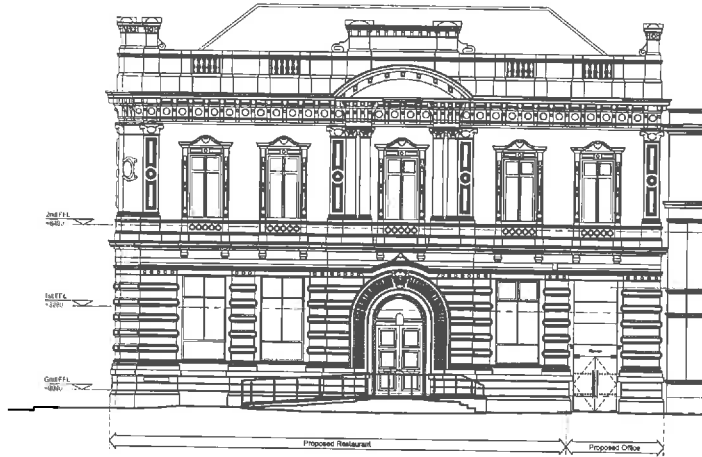


Photo 3



Photo 4





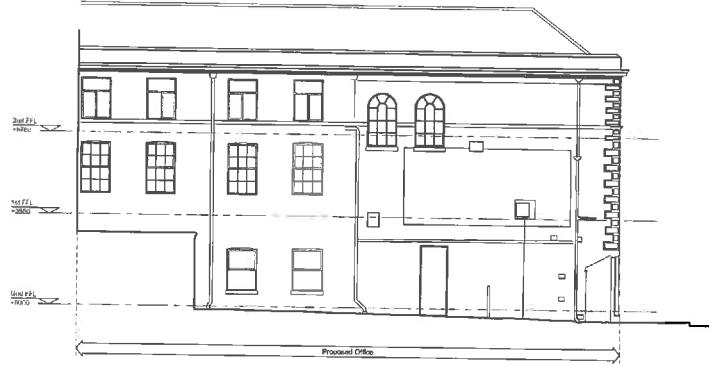
Proposed Front Elevation (facing Silver St)



Proposed Side Elevation (facing Bank St)

Existing window and section of stone wall below to be removed, new frameless glazing system to be provided. Immediate surrounding area to be made good as necessary. Refer to Dwg C-0213-22 for details.

Existing window and section of stone wall below to be removed, new frameless glazing system to be provided. Immediate surrounding area to be made good as necessary. Refer to Dwg C-0213-22 for details.



Proposed Rear Elevation

IC-15
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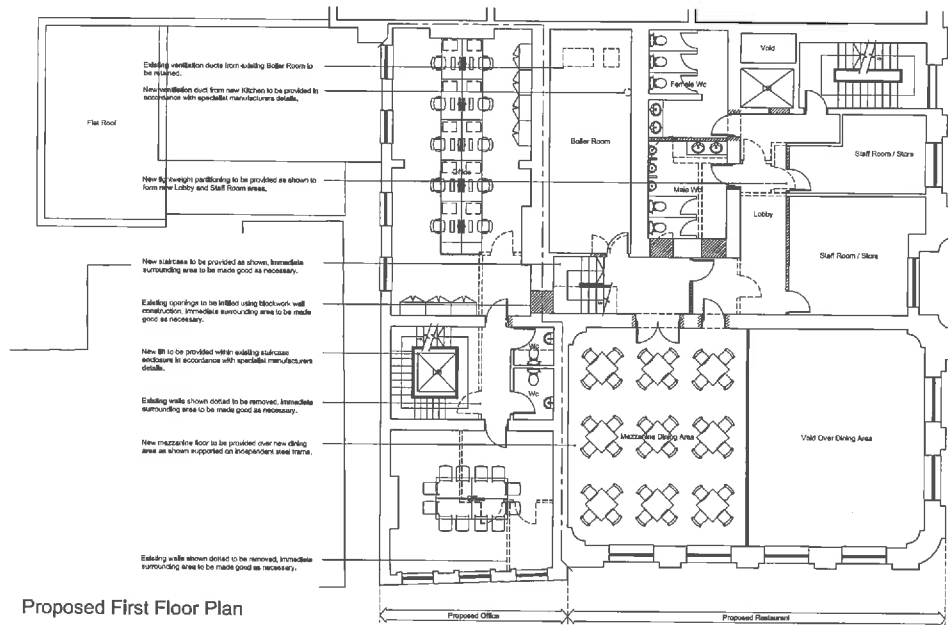
Any discrepancies are to be reported to the architect for clarification.
All materials and workmanship to be in accordance with the current British Standards and codes of practice.
This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialist Drawings and specifications.

DRY
Mr L Fruhman
PROJECT
Remodelling of Former Barclays Bank
Silver Street, Bury

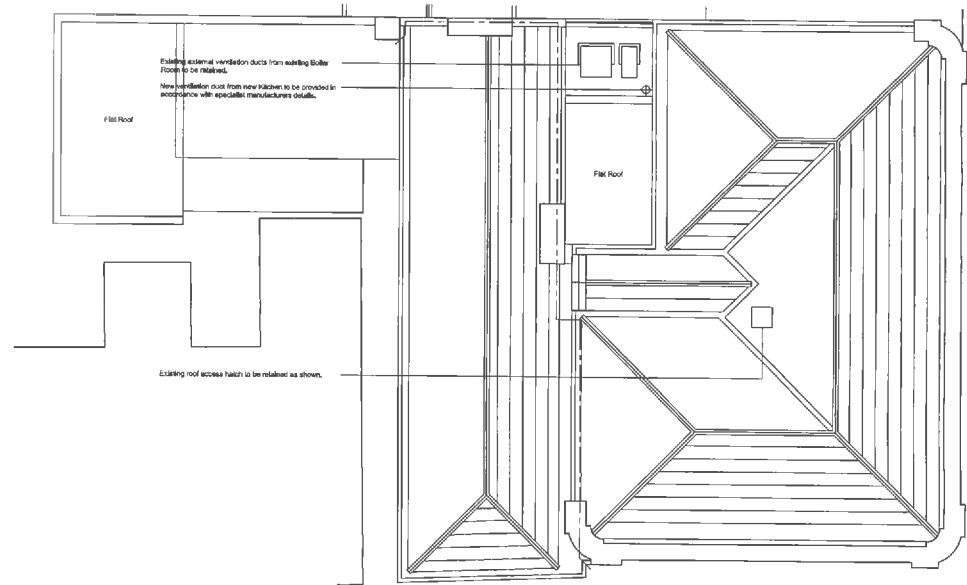
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SCALE 1:100@A1	DATE Dec 13	DRAWN SW	CHECKED -
QUANTITY C-0213-15	COC REFERENCE NO. -	REVISION -	



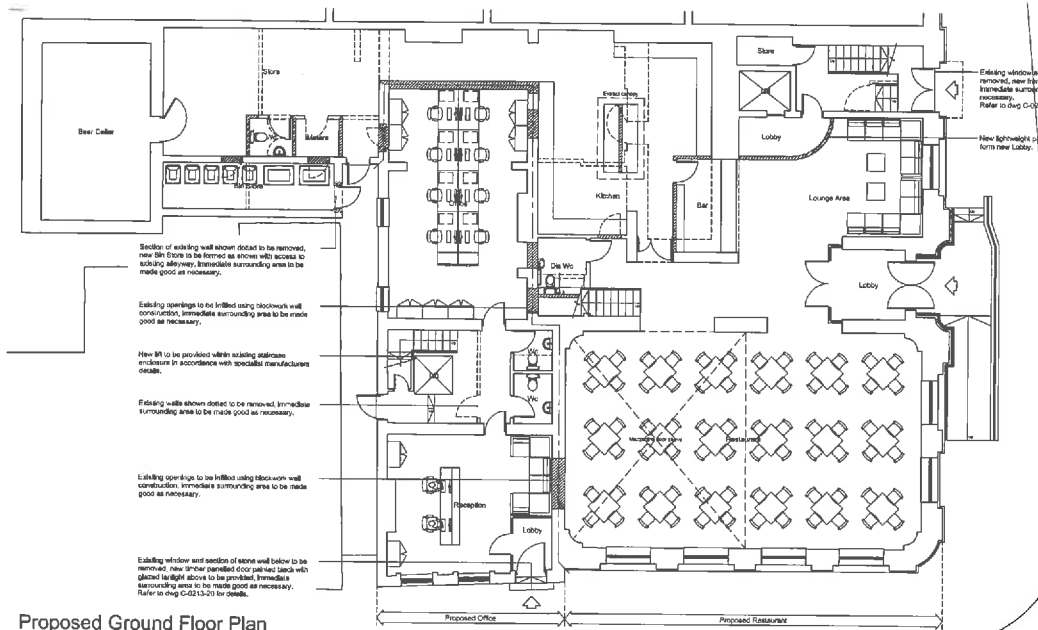
45-47 Watnhead Road, Bury, Lancashire BL9 8AZ 0161 923 2771-9241 923 288
info@equilibrium-architects.co.uk www.equilibrium-architects.co.uk



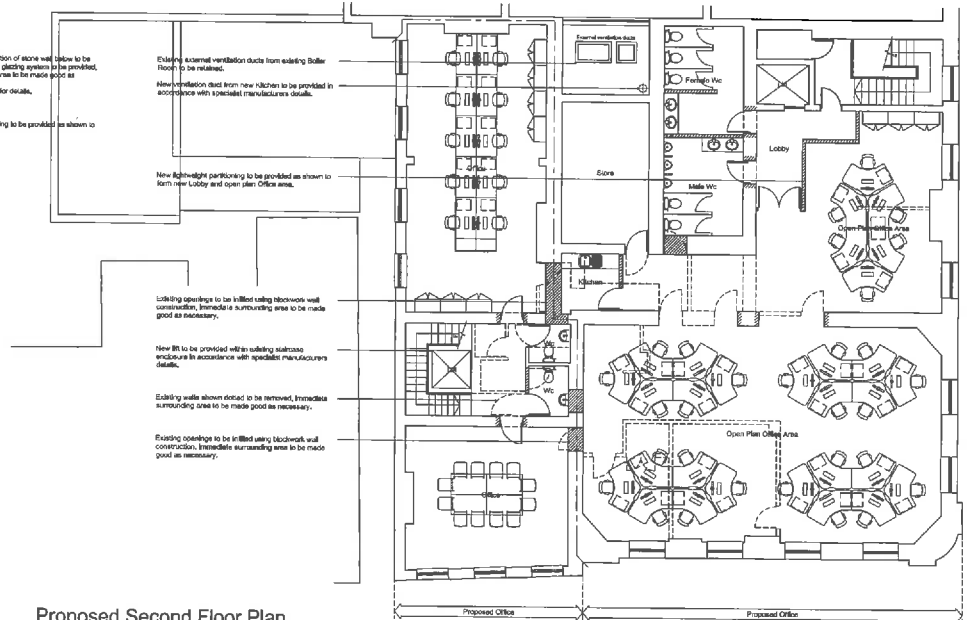
Proposed First Floor Plan



Proposed Roof Plan



Proposed Ground Floor Plan



Proposed Second Floor Plan

NOTES

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

CLIENT
Mr L. Fruhman

PROJECT
Remodelling of Former Barclays Bank
Silver Street, Bury

TITLE
Proposed Plans

SCALE	DATE	DRAWN	CHECKED
1:100@A1	Dec 13	GW	-
DATE/NO.	LAST MODIFICATION	PERSON	
C-0213-10	-	-	



436-437 Waterbury Park, 3rd Floor, Lancaster, LA1 4YU. Tel: 01524 757207. Fax: 01524 757208. info@equilibrium-architects.co.uk www.equilibrium-architects.co.uk

Ward: Bury East

Item 09

Applicant: Esselle Properties Ltd

Location: 26 Silver Street, Bury, BL9 0DH

Proposal: Listed building consent for change of use of ground floor and part of first floor to restaurant (Class C3), subdivision of building to form offices at ground, first and second floors (Class B1), new entrances formed on Bank Street and Silver Street and internal alterations

Application Ref: 57645/Listed Building Consent

Target Date: 30/07/2014

Recommendation: Approve with Conditions

Description

The application involves the former Barclay's Bank, a Grade II Listed Building circa 1868, which is located within the town centre Conservation Area. It is a substantial corner building of classical style constructed of Ashlar stone with moulded plinth and rusticated bands across ground floor and cornice across upper floors. The middle bay facing Silver Street projects slightly and encompasses an impressive arched main entrance. Where the building turns the corner onto Bank Street, evidence suggests that this south western element of the building was originally a building in its own right, characterised by a lower flat roof and elevations of a totally different character. Historical prints identify there was formally a door way in the right hand bay.

The building is noted in the Bury Town Centre Conservation Area Appraisal (2007) as a significant building due to its listed status.

The most recent external alterations to the building involve the provision of an access ramp and the removal of the ATM and reinstatement of stonework.

The application seeks Listed Building Consent for a mixed use development of restaurant and offices with external and internal alterations. The proposals comprise:

- Change of use of the ground floor and part first floor to restaurant, including the creation of a mezzanine floor. This would be accessed off Silver Street via the existing main entrance;
- Separation of the 3 storey section at the western end of the building to create offices at ground, 1st and 2nd floors. A new doorway would be inserted into an existing window opening on Bank Street to form a separate access to this part of the building. An internal lift is proposed to access the upper floors.
- Office accommodation at first and second floors. This would be accessed via a new entrance off Silver Street which would be inserted in the far right window opening on this elevation. It would be formed in a contemporary style with frameless glazing and a canopy. It would lead into a lobby area where there would be access via a staircase or existing lift.
- Internal alterations to facilitate the separation of the building.

Relevant Planning History

43831 - Internal and external access ramp and relocation of atm's (resubmission) - Approve with Conditions 11/02/2005

43832 - Listed building consent - access ramp (internal & external) and relocation of atm's in respect of works to provide access for disabled users (resubmission) - Approve with

Conditions 11/02/2005

43932 - Installation of 7 no. air conditioning systems, 7 no. condensing units to be located on the rear external wall of the building - Approve with Conditions 09/03/2005

43933 - Listed building consent - installation of 7 no. air conditioning units, 7 no. condensing units to be mounted on the rear external wall - Approve with Conditions 09/03/2005

52972 - LBC for the removal of ATM and the reinstatement of void left by their removal - Approved 24/9/2010.

53396 - Change of use from (Class A2 Bank) to A3 (Restaurants and Cafes) and A4 (Drinking Establishments) - Approve with Conditions 14/01/2011

53530 - Listed Building Consent - Re-paint all window frames, front door (and frame) and hand railings on Silver Street - Approve with Conditions 03/02/2011

57636 - Change of use of ground floor and part of first floor to restaurant (Class C3), subdivision of building to form offices at ground, first and second floors (Class B1), new entrances formed on Bank Street and Silver Street and internal alterations - Concurrent application.

Publicity

12 letters sent on 11/6/2014 to properties at 17-19, 21,22,24 Silver Street; 2-6, 5,8, 1st floor 8 Bank Street; 5, 1st and 2nd floors 5 Broad Street; Unitarian Church Bank Street; The Fusilier Museum Moss Street.

Site notice posted 19/6/2014.

Press advert in the Bury Times 19/6/2014.

One letter received on behalf of Bury Unitarian Church which raises the following issues:

- The location does not allow for any parking near the premises. There is limited meter controlled parking only on Silver Street and Bank Street. As far as the church is concerned, all its parking is in use at all times. Would hope that patrons to the restaurant and office facilities would not expect to use the church car park without permission and free of charge.
- A restaurant could prove disruptive to church activities particularly on Sundays, Saturday evenings and week day evenings. People entering or leaving the restaurant may be inclined to make a noise disturbing visitors to the church and creating bad feeling;
- The church is situated in the Heritage Quarter of Bury town centre and note that the building is listed and a good example of fine architecture. Hope that the alterations will be in keeping with the existing style and its surroundings. Concern that another eating establishment on Silver Street would further destroy the ethos of the area, which is less desirable than it used to be. The more permissions granted for food establishments the more likely the deterioration of the area.

The objector has been informed of the Planning Control Committee meeting.

Consultations

Ancient Monuments Society - No response received.

Council for British Archaeology - No response received.

The Georgian Group - No response received.

Society for the Protection of Ancient Buildings - No response received.

The 20th Century Society - No response received.

The Victorian Society (London) - No response received.

Unitary Development Plan and Policies

Area Manchester Road/Knowsley Street

BY4

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

EN2/3 Listed Buildings

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design

S2/6 Food and Drink

HT5/1	Access For Those with Special Needs
EC5/1	Office Development in Bury Town Centre
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 - The NPPF advocates positive strategies for the conservation and enjoyment of the historic environment. Paragraphs 131, 132 and 133 are particularly relevant, citing that local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area. The re-use of buildings within Conservation Areas will be encouraged, particularly at upper floor level, with regard had to any likely impact on the character of the immediate area and any need for alterations to the fabric of the building.

EN2/3 - Listed Buildings - The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Consideration will be given to the impact of the proposal on the historic fabric of the building. New uses are often the key for preservation for buildings, especially for buildings which have become wholly or partly redundant. However, new uses must not adversely affect the architectural or historic features and character of such buildings.

Principle - The principle of the change of use to a restaurant has previously been established, albeit it the permission expired January 2014. Other than the NPPF, there have been no other policy changes which would alter the acceptability of the proposed development. The property is within the historic core of the town centre which has become a key focus for the town's evening economy and an area for bars and eating establishments. The proposed restaurant use would sit comfortably within this part of the town. Moreover, the subdivision of the building would offer potential, manageable and more financially viable spaces for office use.

The proposed changes of use would not only bring back into use a vacant building in an important location, but would also reinstate and make use of an important historic asset, which may otherwise remain vacant and be subject to further deterioration. The proposal is considered to be a viable use for the premises, and subject to the physical alterations to the building, is considered to be acceptable in principle and comply with EN2/1, EN2/2, EN2/3 and the NPPF.

External alterations -

New doorway opening on Bank Street - From historical information, there is evidence to show that the western element of the building on Bank Street was originally a building in its own right, with a door opening in the existing right hand window bay. The proposal to

segregate this part of the building and insert a doorway in this location would essentially reinstate this area back to its original form. The proportions of the door opening would remain the same, with only the cill and lower block work removed down to street level, and the doorway itself recessed in its original position. The drawings demonstrate that this could be achieved without disruption to any other part of the fenestration of this elevation. Steps would be required to gain access given the difference in the internal floor levels and this would reflect not only the other properties on this row, but would again reinstate what was the original stepped access into the building.

As such the alterations are considered to be true to the historical character of the building and as such acceptable.

New entrance on Silver Street - The new intervention on Silver Street would be formed within the far right window opening. The blockwork below the window and the window section itself would be removed and a fully glazed frameless door and canopy inserted. The addition would add a contemporary element and set back within the reveal opening, would acknowledge the division between the old and the new, which would be further differentiated by the use of lightweight and glazed materials.

A contemporary approach is regarded as the most suitable solution when looking to make alterations to a Listed Building and enabling the building to retain its historic character without detriment to its fabric or features. Lightweight and glazed contemporary additions allow the Listed Building to be viewed in its original glory without compromise. This proposal to insert a new opening would not interrupt the verticality of the building and could successfully be achieved.

As with the removal of the ATM and subsequent reinstatement of the blockwork on the opposite side of the building, the proposal demonstrates that the external alterations could be reversed in the future and as such would not have a long term detrimental impact on the historic character and heritage importance of the building.

The external alterations are therefore considered to be appropriate to this Listed Building and would effectively safeguard its character and historical importance, in compliance with EN2/3 and the NPPF.

Internal alterations - The internal alterations are largely in response to the proposals to segregate the building.

In terms of the restaurant, the main addition would be a mezzanine floor which would be suspended over half of the ground floor dining room. It would be a lightweight steel structure supported on an independent steel frame. As a contemporary addition, it would sit comfortably within the splendour of the former banking hall and being a removable object would not have a long term or permanent impact on the historical character of the building. From a viability perspective, the additional seating would increase customer capacity which in turn would make the investment into refurbishing the building financially viable.

The former banking hall itself is an impressive and striking room, with an ornately decorated ceiling which would be completely untouched and visible through the void above the restaurant area. The room would be a splendid setting for such a use and with little works could be restored to its former glory.

The other interventions largely comprise of the infilling of openings or the partitioning of areas to create usable office spaces. Blockwork and lightweight partitions would ensure that the works would not be permanent in nature and would have minimal impact on any physical features of the building.

The proposals demonstrate that the building could be successfully separated to incorporate the different uses without detriment to its character or architectural fabric, and as such considered to be acceptable and comply with UDP Policies EN2/1, EN2/2, EN2/3 and the

NPPF.

Extraction system - It is proposed to install an extraction flue which would project through the kitchen roof and rise vertically and externally within an alcove or 'well' area of the building. There are 2 existing ventilation flues which are enclosed within this area and the proposed flue would be the same height as these, would not project any higher than the building's roof ridges and would be completely concealed from any views. The flue would be 'buried' internally within the building, and as such it is considered there would be no visual impact on the Conservation Area, nor would there be any significant harm caused to the fabric of the historic building.

As such, the proposal would comply with EN2/1, EN2/2 and EN2/3.

Response to objector - The proposed premises are located within a town centre and as such dedicated parking would not be expected to be provided. This is the case with most town centre uses and certainly for the other similar type uses in the Silver Street area. Parking for the Unitarian Church is clearly private and for users/visitors to the Church only, and would be a matter for the Church to manage.

The proposed development would not be directly adjacent to, or connected to the Church, and would be separated by a road and gardens. There are already a mix of uses in the area, and it is considered the addition of one eatery would not significantly add to existing activity in the area.

The objection in relation to the external alterations has been covered in the above report.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. Prior to commencement of works, a notice of intent to start the works hereby approved, including a timetable schedule of the works, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved timetabled schedule.
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect the fabric of a listed structure/building during implementation and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
3. This decision relates to drawings numbered Location Plan C-0213-SLP; Existing plans C-0213-01; Existing elevations C-0213-05; Proposed plans C-0213-10; Proposed elevations C-0213-15; Proposed entrance details C-0213-20; Design and Access Statement; Justification Statement 3rd June 2014 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.

4. No development shall commence unless and until details of the hand rail to be provided to the new doorway entrance on Bank Street as hereby approved have been submitted. The approved hand rail only shall be fitted on completion of the approved new door entrance.
Reason. In the interests of pedestrian safety and good design pursuant to Bury Unitary Development Plan Policies HT5/1 - Access for those with Special Needs, EN1/2 - Townscape and Built Design and EN2/3 - Listed Buildings.

5. No development, stripping out or works affecting the fabric of the building whatsoever shall commence unless and until details of a contract for the carrying out and of the works hereby approved has been submitted to and approved by the Local Planning Authority. The contract shall include a detailed schedule of works, to be carried out in accordance with a timetable and to include a completion date. Where the development is to be carried out on a phased basis relating to the separate uses proposed within the building, details of that phasing shall be included and the respective works associated with those phases. The approved details only shall be implemented.
Reason. For the avoidance of doubt and to ensure the works are carried out and completed in the interests of visual amenity and preservation of a Listed Building in a Conservation Area pursuant to Bury Unitary Development plan Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and EN2/3 - Listed Buildings, and the NPPF.

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

Ward: Bury East - Moorside

Item 10

Applicant: Tesco Stores Ltd

Location: Tesco Stores Limited, Woodfield Retail Park, Peel Way, Bury, BL9 5BY

Proposal: Extension at side to create a dot com/click and collect area with canopy (resubmission)

Application Ref: 57651/Full

Target Date: 06/08/2014

Recommendation: Approve with Conditions

Description

A large Tesco store at Woodfields Retail Park, Peel Way just outside Bury Town Centre. The existing store has a height of 7.8 metres with a flat roof. Its external appearance comprises of forticrete stone block at the lower level and grey metal cladding at the upper level. The north of the retail park is bounded by a public footpath No. 151. This footpath is linked to a pedestrian walkway at the north east corner of the Tesco store that extends along the eastern elevation of the building and around the other retail buildings and across the car park, directly south linking to Peel Way. The link and walkways are used by pedestrians and cyclists and are an important link for pedestrians and cyclists to the town centre from residential areas to the north of Peel Way.

The proposed development is a single storey extension of 213 square metres (m2) at a height of 5 metres with a flat roof to the eastern elevation of the store with a yard area of approximately 400m2 enclosed within 3 metre high masonry wall with canopy over part at a height of 4.2 metres to create a "dot com" and a "click and collect" facility. The yard wall will have a gated entrance in its eastern elevation for the access of up to 9 dot com delivery vans, with a canopy abutting the eastern elevation of the extension to create 4 customer parking bays. The extensions' external finish would be grey cladding to match the existing building's upper level with the enclosing wall of forticrete stone to match the existing building's lower level.

The extension would be used for the storage and despatch of customer orders taken online that will be either collected by the customer (click and collect) or be delivered to them by one of the vans (dot com orders).

The proposal would require the loss of 60 customer parking spaces and would require the link from the public footpath No.151 to the walkway along the eastern elevation of the building to be closed. It is proposed to re-route the link from further east along the footpath with a ramped access across an existing landscaped area, down through the car park along a newly created, bollarded protected walkway at the same width (3.20 metres) and standard as the existing walkway, and back across the car park along to the original walkway position, approximately half way down the eastern elevation of the building. The new walkway would be required to cross the roadway of the car park at two points via a zebra crossing.

The point at which the proposed link crosses the landscaped area would require the removal of a single unprotected immature tree. The vacant area created by the closure of the original link would be landscaped to match the existing.

This application is a resubmission of planning application 57396 for a similar scheme which did not address the issues raised by the proposal in terms of the existing footpath and which was submitted without any pre-application advice, then subsequently withdrawn. This

application was submitted after a formal pre-application process.

In the previous application the design and materials of the yard wall were not acceptable, being a close boarded timber fence and the access link from the public footpath to the walkway would have been severed by the proposed extension causing loss of permeability through the site and direct pedestrian/vehicular conflict by causing pedestrians and cyclists to enter the site directly onto the car park.

Relevant Planning History

01513/E - Proposed extension with integrated loading area - Enquiry completed 03/06/2014

53222 - Highway access alterations and landscaping works - Withdrawn by Applicant 06/12/2010

56470 - New trolley bays, seating benches and waste bins - Approve with Conditions 13/08/2013

56471 - Installation of various illuminated and non illuminated signage on the store, petrol filling station and associated parking areas - Approve with Conditions 14/08/2013

57396 - Extension to side create a Dot Com/Click and Collect area with canopy - Withdrawn by Applicant 12/05/2014

14/0190 - Change of use of a section of car park to display cars for sale.

Publicity

Letters dated 11/6/14 were sent to the following neighbouring addresses and objectors to the previous application: McDonalds Restaurant, Woodfields Retail Park, Peel Way; Beldam Asbestos Ltd, Lascar Works, Tanpits Road; Sports Soccer, Woodfields Retail Park, Peel Way; Boots The Chemist, Woodfields Retail Park, Peel Way; JD Sports, Woodfields Retail Park, Peel Way; JJB Sports, Woodfields Retail Park, Peel Way; Currys Ltd, Woodfields Retail Park, Peel Way; Next Retail Ltd, Woodfields Retail Park, Peel Way; Nos 9, 11, 15, 17, 19, 21, 23, 25 and 27 Brunswick Street; Nolan Redshaw, Waterford Business Park; Maze Planning Solutions on behalf of Time Token Ltd.

As a result of the publicity one objection was received from Maze Planning Solutions on behalf of its client Time Token Ltd and is summarised as follows:

- The effect of the loss of 60 car parking spaces on parking and traffic queues has not been appraised by the applicant and the applicant should be asked to provide a transport assessment.
- The current pedestrian access route (from footpath No 151) is very safe on dedicated footways for its entire length. The previous application failed to take account of this pedestrian route. The proposed pedestrian access arrangements have changed in the revised application, but it remains the case that the development will displace an existing safe pedestrian route requiring pedestrians to cross the roadway at two points within the car park before re-joining the existing route.
- The retail park was designed so that customer and delivery vehicles are segregated soon after entering the site off Peel Way. Services vehicles have a dedicated route along the west boundary of the site to service yard areas located at rear of the retail units. These established arrangements minimise potential for vehicular and pedestrian conflict. The proposed dot com facility will bring services vehicles into the customer car park area, ending the segregated service arrangements and giving rise to safety issues. The Council is asked to note and take full account of the fact that the home delivery vehicles have to pass over the proposed new crossing(s) that would serve the diverted pedestrian route in order to reach the dot com facility. It will make those uncontrolled crossings potentially more dangerous than any others in the site as time-pressed delivery drivers enter and leave the facility throughout the day.
- Wrong Certificate of Ownership submitted.

The objector has been notified of the Planning Control Committee meeting.

Consultations

Traffic Section - No objections.

Environmental Health Pollution Control - No comments.

Greater Manchester Police, designforsecurity - No comments.

Planning Implementation Team and Public Rights of Way Officer - No objections as long as existing standards are maintained to new pedestrian/cycle link to preserve the permeability of the site.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7/2	Noise Pollution
S1/1	Shopping in Bury Town Centre
S4/1	Retail Development Outside Town and District Centres
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
EN8	Woodland and Trees
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.

Use - The proposed development is a facility for the storage, despatch and pick up of ordered goods and as such is ancillary to the main store and would not create additional retail trading floorspace. As such the principle of the proposal would be acceptable and would not be contrary to adopted UDP policy S4/1 - Retail Development Outside Town and District Centres.

Visual Amenity - The proposed extension and yard wall would be in a prominent position within the retail park, in the previous application the proposed yard wall was to be constructed from close boarded timber, which was not considered to be appropriate in terms of both materials and design giving the appearance of a fenced off service yard area rather than matching the design and appearance of the existing store.

The proposed materials for the extension and wall are acceptable, the extension being a modular clad structure in the same materials as the existing stores' cladding and the yard wall being forticrete stone block matching the existing store. The size and scale of the proposal would also be acceptable, being subservient to the main store and being no higher than the main store. The proposal would be no more visually obtrusive to the residential properties on Brunswick Street than the existing store where there is screening on eastern boundary of the car park between the residential properties and the proposal. As such the proposal would comply with adopted UDP policies EN1/1 - Visual Amenity, EN1/2 - Townscape and Built Design and chapter 7 of the National Planning Policy Framework (NPPF).

Residential Amenity - Given that the Tesco store is a 24 hour operation with associated vehicle movements it not considered the use of the proposed facility would cause any further detriment to the residential amenity of the residents on Brunswick Street than might already exist with respect to noise and disturbance. Refrigeration and chiller units are to run from existing plant within the main store. If additional condenser units are required to

be sited within the yard area they will be enclosed and are estimated to run at a noise level of 47 decibels, which is an equivalent noise level to an average home or quiet library. (various technical sources). The proposal would not effect on the privacy of occupiers on Brunswick Street. As such the proposal would comply with adopted UDP policy EN7/2 - Noise Pollution.

Loss of Customer Car Parking Spaces - The proposal would result on the loss of 60 parking spaces which would be 6.3% of the total on site. This figure must be viewed in the context of the current parking standards laid out in the Council's adopted supplementary planning document SPD 11 - Parking Standards in Bury.

The current total number of spaces on the site is 955. The planning permission for the retail park pre-dates the adoption of the Councils UDP and Supplementary Planning Documents. Current maximum parking standards required for a retail park of this size, with 6,364m² gross floorspace of food retail and 6,315m² of gross floorspace of non-food retail would be 684 car parking spaces. With a reduction of 60 spaces required for the proposal, the site would still have an excess of 211 spaces of what would be required by current standards. Whilst the applicant has not produced any statistical or modelling evidence, it is expected the facility would reduce the number of customer car movements. As such it is not considered the loss of this number of parking spaces would lead to any further vehicle congestion than might already exist at peak times. It should be noted the objector has not produced any evidence or modelling data to the contrary. As such the proposal would comply with adopted UDP policy HT2/4 - Car Parking and New Development and SPD 11 - Parking standards in Bury.

Permeability of the Site - The proposal would maintain the permeability of the site with respect to pedestrians and cyclists by the creation of the re-routed link from the footpath down to car park level 1.2m below comprising of a 1:15 gradient ramp at 3.2m wide approximately 20m in length. As such the proposal would comply with adopted UDP policy HT6/1 - Pedestrian and cyclist Movement.

Traffic - The "dot com" vans that would deliver ordered goods from the proposed facility would not be articulated heavy goods vehicles or rigid 7.5 ton vehicles, but would be of a "Luton" type size, a little larger than a "Transit" type van and are commonly seen in everyday use on public car parks. The vans would not be servicing the store and with a maximum number of 9 vans, the number of vehicle movements created in relation to the vehicle movements of the rest of the site is not considered to be significant and as such a transport assessment is not required. As such the proposal would comply with adopted UDP policy HT2/4 - Car Parking an New Development.

Vehicle/Pedestrian Conflict - The re-routed link from the footpath to the existing walkway would need to cross the car park road way at two separate points via zebra crossings before re-joining the existing walk way. There are already crossing points in existence on this walkway on its route across the car park to Peel Way. All vehicles using the car park are required to comply with speed restrictions in place and given the number of shoppers crossing the car park, not on dedicated walkways, it is not considered the proposal would lead to any more vehicle/pedestrian conflict than already exists on the site. As such the proposal does not conflict with adopted UDP policy HT6/2 - Pedestrian/Vehicle Conflict.

Access - The slope of the proposed access ramp from the footpath down to the car park at a gradient of 1:15 over 5 metres in length is only slightly steeper than the standard 1:20 required. However taking into account the reduction in the distance required for pedestrian and cyclists to access the site and physical constraints of the site, the ramp gradient is considered to be acceptable. As such the proposal would not conflict with adopted UDP policy HT5/1 - Access For Those With Special Needs.

Trees - An immature unprotected tree sited at the point where the proposed link will enter the site will be required to be removed. The tree is of limited amenity value and as such its loss is acceptable. As such the loss of the tree would not conflict with adopted UDP policy

EN8 Woodland and Trees.

Response to objections -

- That the wrong Certificate of Ownership was submitted with the application.

The applicant was aware of this and has subsequently identified all the owners of the site and submitted the correct Certificate of Ownership.

The other points raised in the objection have been covered in the officer report.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

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 Paragraphs 186-187 of the National Planning Policy Framework.

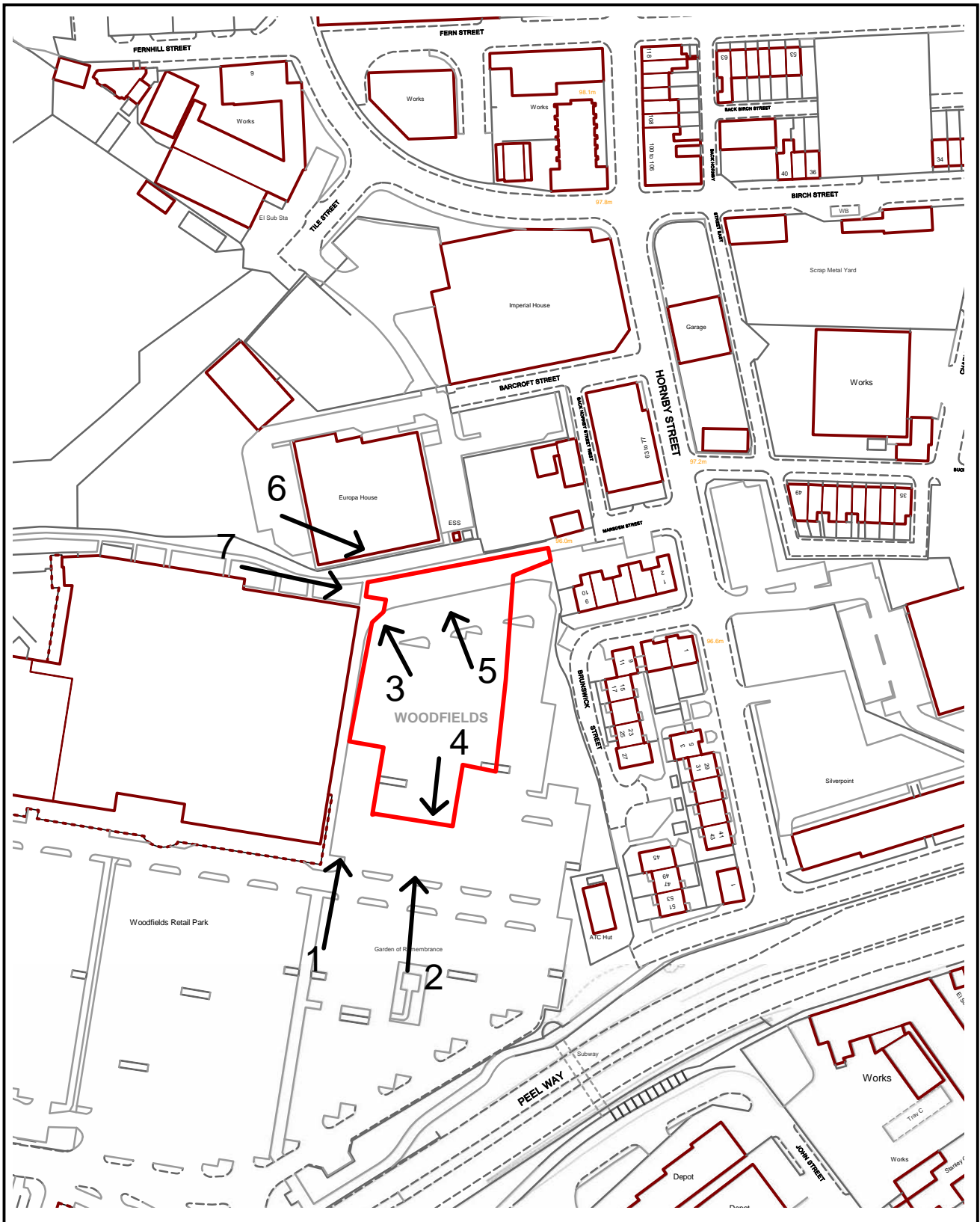
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered P03 B, P05 A, P07 A and P08 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 development hereby approved shall be used only for "dot com" and "click and collect" deliveries and customer pickups and no retail trade within Use Class A1 (retail) of the Use Classes Order 1987 shall be carried out.
Reason. For the avoidance of doubt and to ensure compliance with adopted Bury UDP policy S4/1 - Retail Development Outside Town and District Centres.

For further information on the application please contact **Mark Kilby** on **0161 253 7639**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57651

ADDRESS: Tesco Stores Limited
Woodfield Retail Park

Peel Way
Bury
Planning, Environmental and Regulatory Services 1:1250



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57651

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5

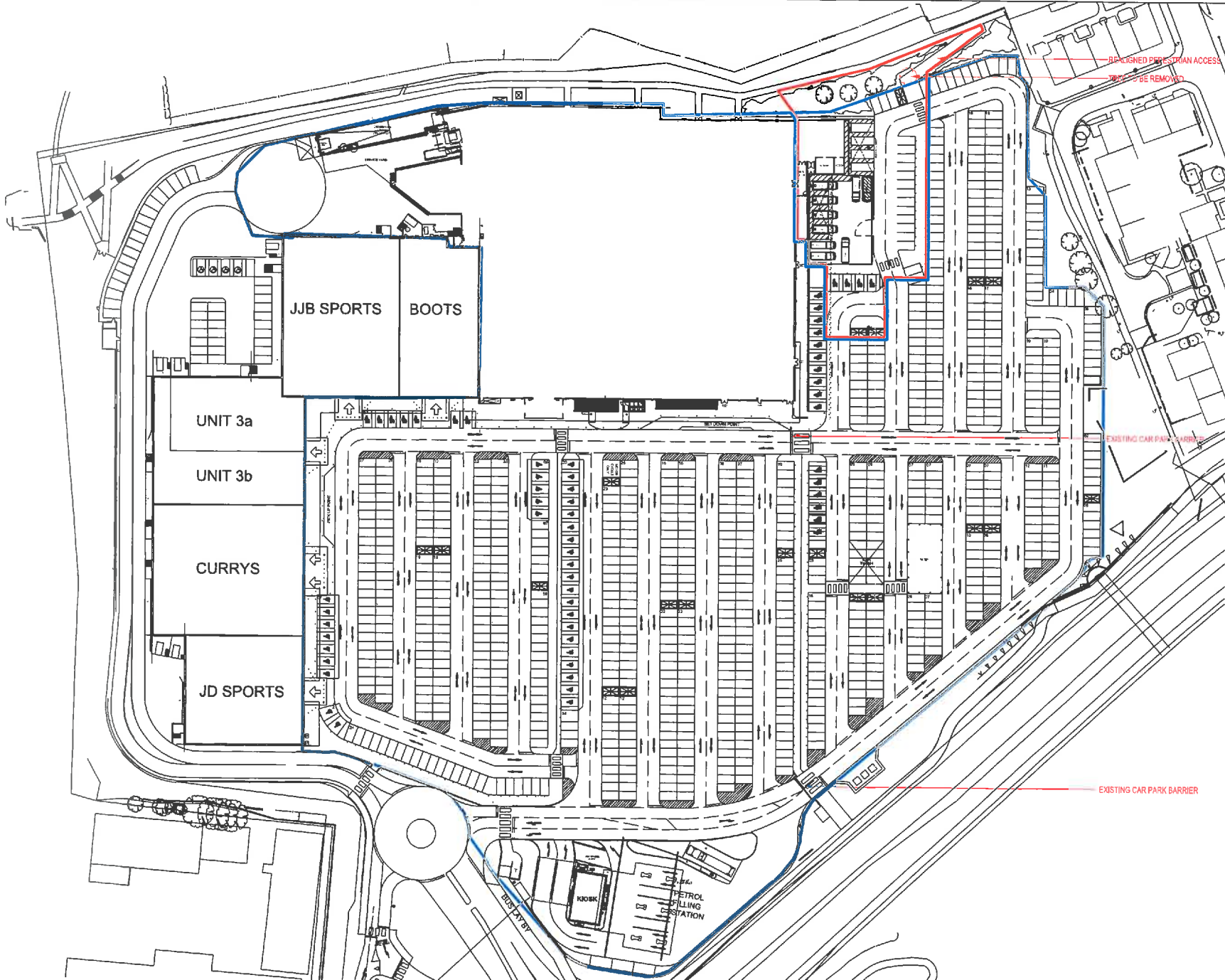


Photo 6



Photo 7





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 To be used in conjunction with relevant design standards/protocols.

TOTAL ESTIMATED PROPOSED PARKING NUMBERS
 STANDARD BAYS - 858
 DISABLED - 34
 PARENT AND CHILD - 27
 TOTAL - 929

B	03.08.14	AMENDMENTS MADE FOLLOWING INITIAL CONSULTATION AGREEMENT WITH PLANNERS	JT
A	04.04.14	EXISTING BARRIERS ADDED WITHIN CAR PARK	JT
#		First Issue	
Rev	Date	Description / Amendments	Rev / Ctd

Scale:
 Client:



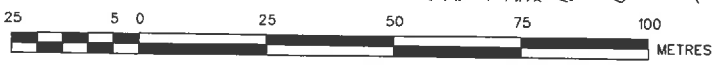
Project name:
BURY

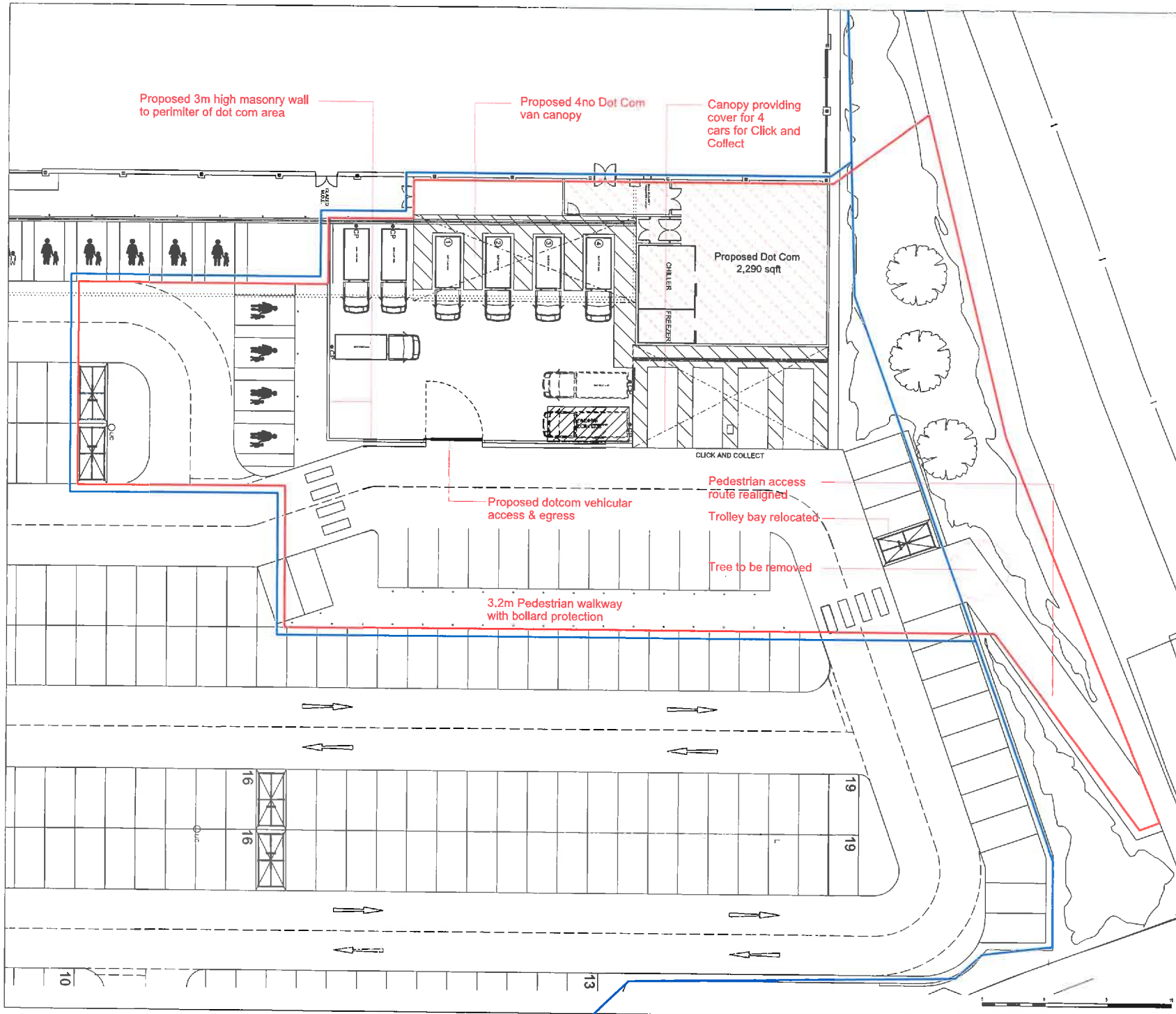
Project address:
PEEL WAY

Drawing Title:
PROPOSED SITE PLAN

Job No: 5390_2142	Dep No: P03	Rev/Iss: B
Date: MAR '14	Scale: 1:500	Sheet size: A1

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A	03.06.14	AMENDMENTS MADE FOLLOWING INITIAL CONSULTATION MEETINGS WITH PLANNER	JT
#		First Issue	
Rev	Date	Description	Dm Ckd
		Amendments	
Status:			
Client:			



Project name:
BURY

Project address:
PEEL WAY

Drawing Title:
PROPOSED EXTRACT PLAN

Job No: 5390_2142	Drg No: P05	Revision: A
Date: MAR'14	Scale: 1:200	Sheet size: A2

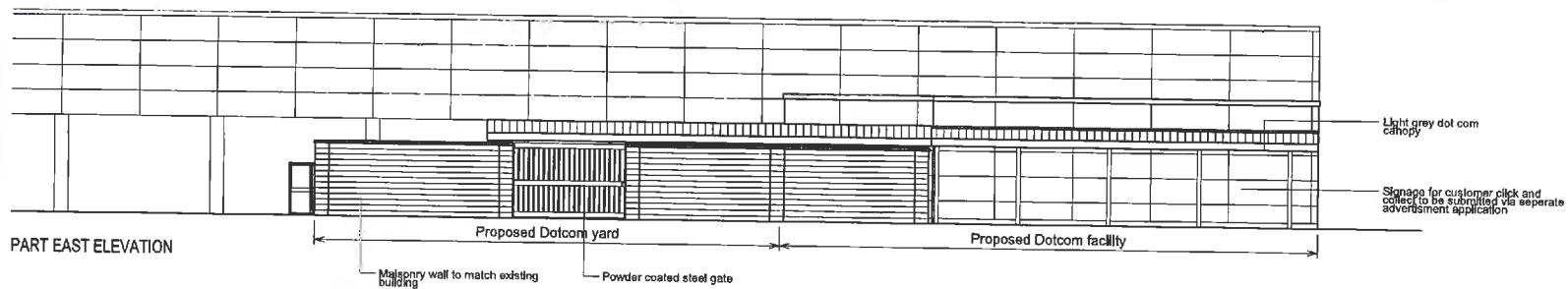
SMITH SMALLEY ARCHITECTS

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 37 Victoria Avenue
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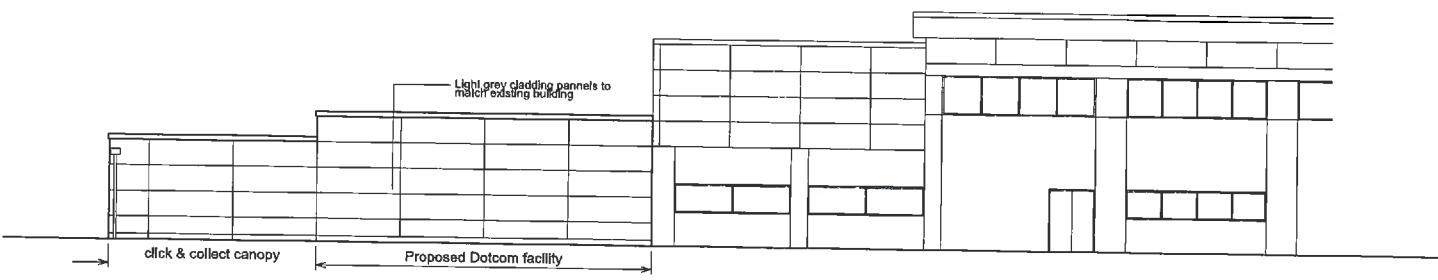
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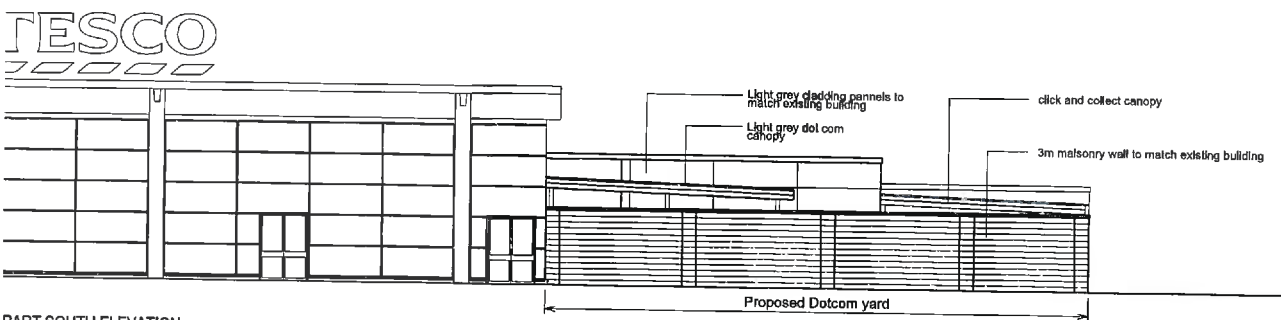
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PART EAST ELEVATION



PART NORTH ELEVATION



PART SOUTH ELEVATION



A	02.06.14	AMENDMENTS MADE FOLLOWING INITIAL CONSULTATION MEETING WITH PLANNER	JT
#	Date	Description	Drn

Status: **Planning**

Client: **TESCO**

Project name: **BURY**

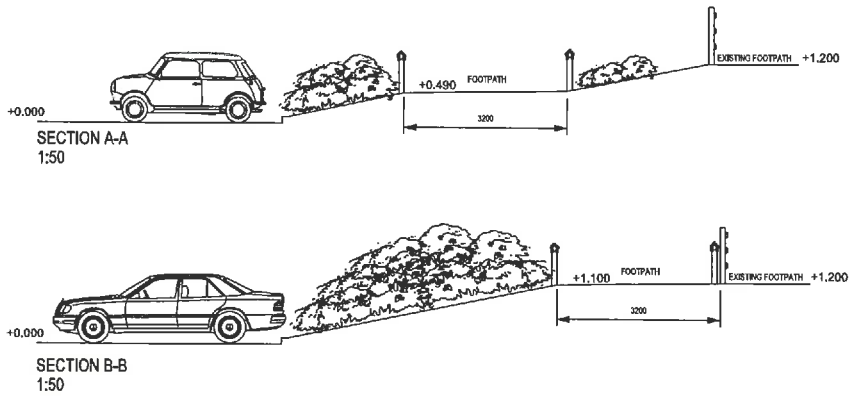
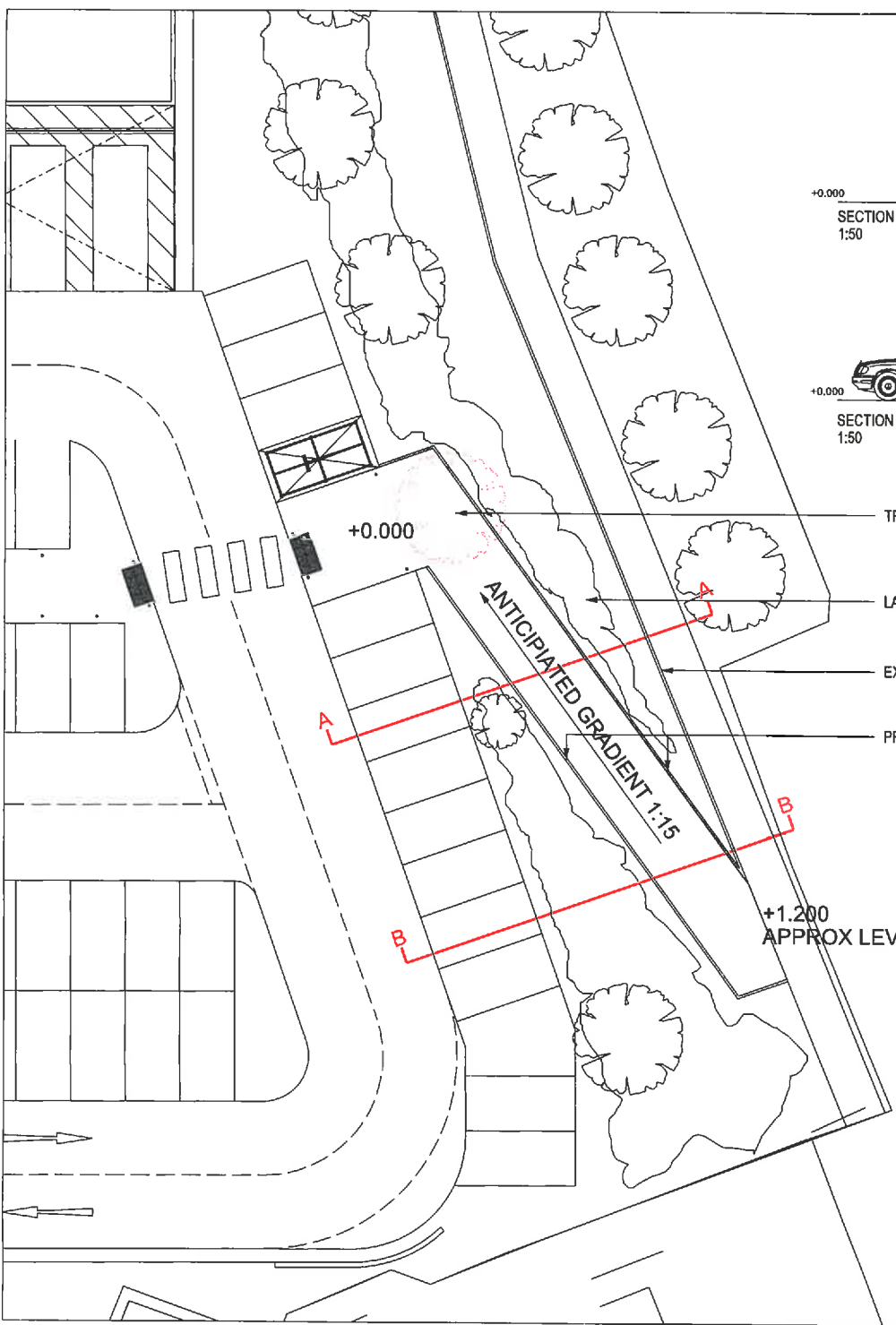
Project address: **PEEL WAY**

Drawing title: **PROPOSED ELEVATIONS**

Job No: 5390_2142
 Dip No: P07
 Revise: A

Date: MAR'14
 Scale: 1:100
 Sheet size: A1

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- TREE TO BE REMOVED
- LANDSCAPING TO MATCH EXISTING
- EXISTING BOUNDARY FENCE
- PROPOSED 800mm HIGH KNEE RAIL FENCE

SUBJECT TO SITE SURVEY
LEVELS NOT RELATIVE TO ORDNANCE SURVEY BENCHMARKS



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Rev	Date	Description	DM	CD

Client:



Project name:

BURY

Project address:

PEEL WAY

Drawing Title:

PROPOSED PEDESTRIAN ACCESS

Job No: 5390_2142	Dwg No: P08	Revision: #
Date: JUN'14	Scale: 1:100	Sheet No: A1

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