

Title	Planning Applications
To:	Planning Control Committee
On:	17 February 2015
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: Whitefield + Unsworth - Unsworth	App No. 58223
	Location: Land off Roach Bank Road, Bury, BL9 8RQ	
	Proposal: Outline planning application for B2 and B8 development with all matters reserved except for access	
	Recommendation: Approve with Conditions	Site Visit: N
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02	Township Forum - Ward: Whitefield + Unsworth - Pilkington Park	App No. 58227
	Location: 169 Bury New Road, Whitefield, Manchester, M45 6AB	
	Proposal: Change of use from educational (Class D1) to offices (Class B1a)	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 58301
	Location: Irwell Works Brewery, Irwell Street, Ramsbottom, Bury, BL0 9YQ	
	Proposal: BREWERY painted in white letters on brewery roof (retrospective)	
	Recommendation: Approve with Conditions	Site Visit: Y
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04	Township Forum - Ward: Prestwich - Sedgley	App No. 58311
	Location: 36 Bury Old Road, Prestwich, Manchester, M25 0FT	
	Proposal: Change of use from dwellinghouse (Class C3) to place of worship (Class D1) (retrospective)	
	Recommendation: Approve with Conditions	Site Visit: Y
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05	Township Forum - Ward: Ramsbottom + Tottington - Tottington	App No. 58312
	Location: Land off Lower Kirklees Street, Tottington, Bury, BL8 3NS	
	Proposal: Retention of stables block	
	Recommendation: Approve with Conditions	Site Visit: N
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Ward: Whitefield + Unsworth - Unsworth

Item 01

Applicant: The Wilton Estate & P Casey Enviro Ltd

Location: Land off Roach Bank Road, Bury, BL9 8RQ

Proposal: Outline planning application for B2 and B8 development with all matters reserved except for access

Application Ref: 58223/Outline Planning
Permission

Target Date: 16/03/2015

Recommendation: Approve with Conditions

Description

The application involves 3.67 hectares of land situated on the westerly edge of Pilsworth Industrial Estate. The site forms part of an Employment Generating Area and Land for Business use as allocated in the Bury Unitary Development Plan, with the majority of the Industrial Estate developed out for industrial and warehousing purposes.

The site has been the subject of a landfill operation which was completed to achieve a level surface in preparation for industrial development. To the north and west, the site is bounded by a Wildlife Link and Corridor (Policy EN6/4) and River Valley (Policy OL5/2), beyond which the land falls away steeply to the River Roch with housing development beyond. To the east are well established industrial units and opposite the site to the south across Roach Bank Road is the L'Oreal building and a large secure site.

The site fronts Roach Bank Road and there is an access stubb at the most westerly point as an extension to Pilsworth Way. A bund has been constructed across the site frontage for security purposes.

The application is outline only and seeks approval for the principal of general industrial (B2), and storage and distribution (B8) uses, with all matters reserved apart from access. The application site would be split into 3 separate units and plots and would comprise the following:

- Unit 1 - 2,322 sqm of General Industrial, B2 Use;
- Unit 2 - 1,463 sqm of Storage and Distribution, B8 Use;
- Unit 3 - 9,754 sqm of Storage and Distribution, B8 Use.

Each would have dedicated parking provision and incorporate service yards to provide lorry parking and loading/unloading facilities for potential occupiers of the buildings.

Two new access roads would be created to serve the development directly from Roach Bank Road and Pilsworth Road. Whilst outline only, the application provides indicative plans of the layout of the site, and sections to show the relationship of the proposed units to the nearest residential properties.

Relevant Planning History

54580 - Extension of time implementation of planning permission 50804 for office development - Approved 21/12/2011.

50804 - Office Development (total of 8864 sqm of office floor space) - Approved 18/2/2009

49295 - Office Development (total of 10194 sqm of office floorspace) - Refused 21/5/2008. Appeal withdrawn.

48413 - Office Development (7896 sqm of office floor space) - Application withdrawn.

41448 - Industrial and warehousing building (Classes B1, B2 and B8) - Approved 2/9/2004

35849 - Variation of Condition 4 of planning permission 27550/92 to allow landfill operations to continue for a further 5 years from 4/3/2000 - Approve 15/2/2000

34913 - Industrial and warehousing development (Classes B2 and B8) - Approved - 24/11/1998

Publicity

85 letters sent to addresses at Harrington Close, Grasmere Drive, Newby Close, Roach Bank Road, Pilsworth Road, Redmere Drive, Park 66, Little 66.

Site notice posted 9/01/2015.

Press advert in the Bury Times 24/12/2014.

One letter of objection received by e-mail which raises the following issues:

- Impact on the green fields which once gone rarely come back;
- The development from the M66 is now reaching down to the banks of the River Roch, an eyesore of tin sheds or modern units;
- Unwarranted scheme due to number of unlet units in Bury;
- State of the road to Blackford Bridge and illogical to increase more units in this current economic climate.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to a condition to incorporate the recommendation received by United Utilities.

Environmental Health Contaminated Land - No objection subject to conditions.

Environment Agency - No objection subject to conditions.

Greater Manchester Police - designforsecurity - No response received. A detailed CIS would be required at the reserved matters stage.

United Utilities (Water and Waste) - No objection subject to condition.

Fire Protection Dept Bury Fire Station (Part B) - No comment received. The highways section have recommended a condition that details of an emergency access are submitted with a Reserved Matters application.

Greater Manchester Ecology Unit - No objection subject to conditioning the recommendations of the submitted ecological report.

Rochdale MBC - No objection.

Highways Agency - No objection subject to a condition a Travel Plan is submitted.

Transport for Greater Manchester - No objection.

Unitary Development Plan and Policies

EC1	Employment Land Provision
EC1/1	Land for Business (B1) (B2) (B8)
EC2/2	Employment Land and Premises
EC5	Offices
EC5/2	Other Centres and Preferred Office Locations
EC6	New Business, Industrial and Commercial Development
EC6/1	New Business, Industrial and Commercial
EN1	Built Environment
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN5	Flood Protection and Defence
EN5/1	New Development and Flood Risk
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
OL5/2	Development in River Valleys
EN1/1	Visual Amenity
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
HT2/10	Development Affecting Trunk Roads
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value

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 site is designated under UDP Policies EC1/1 - Land for Business and EC2/1 - Employment Generating Areas and this allocation identifies the site as being suitable for Business (B1), General Industrial (B2) or Warehousing (B8). As such, the principle of the proposal is in accordance with the economic policies of the UDP.

River Valley and Wildlife Link and Corridor - Technically, part of the site extends into an area shown on the UDP proposals map as an area of River Valley (Policy OL5/2) and Wildlife Corridor (Policy EN6/4). However, these boundaries were drawn prior to the completion of landfill operations and as such the designation does not reflect the extent of the development plateau which has been constructed as part of the planning permission for the development of the plateau. The formed plateau extends slightly to the west of the UDP boundary before dropping down into the valley of the River Roch. Consequently the edge of the valley as it is on the ground is considered to be a more appropriate boundary for the purposes of River Valley and Wildlife Corridor policies.

Policy EN1/1 - Visual amenity specifies that development will not be allowed where it would have such a detrimental effect on the visual amenity of areas of environmental value. As such, built development should be positioned away from the edge of the valley so as to avoid a built skyline ridge across the top of the valley. The layout plans show this can be achieved through the siting of a new access road and landscape buffer along the western edge of the site, with the built form on the easterly edge.

As such, it is considered that the proposed development, including the siting of the buildings and position of the access road, would not have a detrimental impact on these policy designations and would be acceptable.

Access - The application seeks approval for access to the site. Two new accesses are proposed, one to serve units 1 and 2 and one to serve unit 3.

The new access to units 1 and 2 would lead directly from Roach Bank Road to dedicated car parks in front of each building. It would continue past unit 2 and terminate at the entrance to the turning areas for heavy goods vehicles, located at the rear of the site. A secondary emergency access from the rear of unit 1 would lead out onto Pilsworth Road.

The new access to serve unit 3 would continue from the existing highway spur from Pilsworth Road and follow the westerly edge of the site. The unit would be located centrally within its plot area which would allow vehicular circulation around the majority of the outside of the building. It is envisaged the site would have a separate parking area and turning circle for HGV's.

The provision of two dedicated entrances to serve the development site would enable effective and efficient traffic flows in and out of the area. The Highways Section have raised no issues to the proposed scheme, subject to conditions to provide the necessary highway works and improvements.

As such, the proposed access points are considered to be acceptable and comply with EC6/1 - Assessing New Business, Industrial and Commercial Development, HT4 - New

Development and HT6/2 - Pedestrian/Vehicular Conflict.

Layout - An indicative layout plan demonstrates how the buildings could be positioned within the development site with associated parking and servicing requirements. Units 1 and 2 would be located to the south of the site fronting Roach Bank Road with the new access road designed to run between the buildings, leading to parking and servicing as described above. Unit 3, the larger of the building would be towards the rear of the site and accessed via the new road extended from Pilsworth Way.

The existing pedestrian footway along Roach Bank Road would be incorporated into the new access and a pedestrian route provided internally within the site and from public parking places to the building. Details of this layout would be sought in a Reserved Matters application.

As such, it is considered that the proposed layout would comfortably facilitate the size, position and scale of the proposed development. However, detailed assessment will be needed at the Reserved Matters stage and subject to further details would be compliant with UDP Policies EC6/1 - Assessing New Business, Industrial and Commercial Development and HT4 - New Development.

Parking - Supplementary Planning Document 11 - Parking Standards in Bury states the maximum requirement for a B2 use (general industry) would be 1 parking space per 60 sqm and for a B8 (storage and distribution) use 1 per 100 sqm.

The B2 use (unit 1) would have a combined floor area of 2,322m² which would equate to 38 spaces and plans demonstrate that 37 could be provided. Unit 2, a B8 use would have a combined floor area of 1,463 sqm and the proposal allows for 20 spaces, 5 more than stipulated in the SPD.

The parking provision is not indicatively laid out for unit 3 (B8 use) and having a proposed floor area of 9,754 sqm would be required to provide a maximum of 97 spaces. This area of the site is 2.38 hectares in size and subject to details, it is considered the size of the plot could comfortably accommodate the parking requirements and servicing required for the unit.

As such, it is considered adequate parking could be capable of accommodating all 3 units within the site and would be acceptable to the highways team and would comply with HT2/4 - Car parking and New Development and SPD11.

Highways issues - A Transport Assessment (TA) has been submitted with application which has been sent to Transport for Greater Manchester (TfGM) for their consultation response. The Highways Agency have also been consulted on the application.

TfGM have assessed the TA and conclude that would be no significant issues arising in relation to the base traffic flows, forecast trip generation and distribution of traffic and concur with the TA that the impact of the development on the local road network would be minimal. It was also concluded that the proposed trip generation would likely be significantly less than for the office development previously approved on the site. TfGM have raised no objection to the application.

The Highways Agency have raised no objection subject to the applicant submitting a Travel Plan prior to the development being brought into use.

Amenity impact on the surrounding properties - The site sits in an elevated position in comparison to the residential development across the River Roch to the east. A layout plan and visual appraisal assessment have been submitted with the application which demonstrates indicatively, the scale and size of the proposed buildings and relationship to the residential properties to the west.

In terms of Unit 1, there would be a distance of 122m to the nearest properties on Harrington Close. The finished floor level of the unit would be 88m AOD and the floor levels of these properties are 76m AOD. Section plan B-B shows the main screening would be from the amenity planting and riverside trees on either side of the River Roch. The height of the embankment planting would also give considerable screening to the lower part of the proposed building, with the remainder partially screened from view. There is the potential to plant up a small area to the east of the proposed access road, although this is a more limited area. However, over time, it is unlikely that Unit 1 would be visible from the houses to the west and given the distance away and significant intervening landscaping, the relationship to these properties is considered acceptable.

Unit 3 would be the larger of the buildings with a finished floor level of 86m AOD and ridge height of 104.5m. The houses on Harrington Close are set at a floor level of 76m AOD and there would be a separation distance of 145m. In this case also, the main screening would be from the amenity planting and riverside trees on the banks of the river. Section A-A shows that a large part of the base of unit 3 would be well screened with the middle partially screened and the top 2.5m being open to view. As the building would be located in close proximity to the top of the embankment, it would be difficult to add any further planting, although the existing landscaping on the embankment would mature over time to screen more of the building. Although the top part of the building may remain visible long term, it is considered impact on views of the unit would be relatively insignificant and there would not be an adverse impact on the outlook from the houses on Harrington Close.

A landscaping scheme would be required at the Reserved Matters application stage. An informative to this outline permission would be added that the landscaping scheme should give particular attention to the area along the western boundary of the site adjacent to the embankment.

The premises to the east and south of the development site are commercial/business uses and would not be affected by the positions of the proposed units. The two proposed access roads off Roach Bank Road would not interfere with the existing access points which serve these premises.

As such, it is considered the proposed development would comply with EN1/2 - Visual amenity and EC6/1 - Assessing New Business, Industrial and Commercial Development.

Design and appearance - The detail of the appearance of the buildings would be subject of a Reserved Matters application and does not form part of this outline planning application. However, the application states the proposed development would potentially comprise of steel framed 2 storey buildings, suggesting that the larger unit would have a ridge height of 15m. It is envisaged the external elevations would comprise of a mix of materials and cladding.

As such, it is considered the approach taken to the appearance of the buildings would be appropriate within the setting of a commercial and business environment and comply with EN1/2.

Ecology - An Ecological Survey and Assessment have been submitted with the application. The assessment of the site demonstrates that there are no concerns or constraints with regard to statutory/non-statutory sites of ecological interest, habitats of principal importance and/or plant species that are rare, protected or species of principal importance, or other wildlife including badger, great crested newt, otter or water vole.

Himalayan balsam was identified amongst vegetation outside the site which merits consideration, as did bats, breeding birds and the common toad associated with the vegetated embankments, trees and shrubs.

GMEU have been consulted on the application and subject to a condition to include the recommendations of the report in Section 4.2 relating to essential and best practice

measures, have raised no objection to the proposals.

Flood Risk - A site-specific Flood Risk Assessment in accordance with the NPPF has been undertaken which concludes the site is located within EA Flood Zone 1, classified with a 'low' probability of flooding. The document states that any development may proceed without causing a significant increase in flood risk subject to the implementation of recommended mitigation measures to consider the use of soakaway, attenuate surface water flows to existing rates and incorporate SuDS into the drainage design. A condition in relation to drainage has been recommended by the Drainage Section and United Utilities.

Response to objector -

- The site is not allocated within the Green Belt and the scheme has been assessed in terms of UDP policies EN6/4 and OL5/2. It has been concluded that there would not be a detrimental impact on the environment or raise any ecological concerns as discussed in the above report.
- The site is allocated for Employment use and acceptable to site commercial and industrial uses on this land.
- The proposal has been assessed by Transport for Greater Manchester and concluded there would not be a detrimental impact on the surrounding road network.

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. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason - Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004
2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, scale, appearance and the landscaping of the site.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.
3. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be

submitted to, and approved in writing by the Local Planning Authority;

- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason - 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.

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

Reason - To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. 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.

6. 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.

7. No development shall commence until full details of a scheme for the eradication and/or control of Himalayan Balsam is 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 Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and EN6 - Conservation of the Natural Environment.

8. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason - To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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. The precautions for Common toad outlined in Section 4.2.1 shall be implemented prior to the commencement of development and all measures implemented shall remain in situ until the development has been completed.

Reason. In order to ensure that no harm is caused to a wildlife habitat 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.

11. The development hereby approved shall be carried out in accordance with the Recommendations in Section 4.2 of the Ecological Survey and Assessment (Oct-Nov 2014 ref RB-14-165).

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.

12. No development shall commence unless and until details of surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include an assessment of potential SuDS options for surface water drainage with appropriate calculations to support the chosen solution. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate to be determined by United Utilities.

The approved scheme only shall be implemented and thereafter maintained.

Reason - To reduce the risk of flooding and ensure the satisfactory treatment of surface water drainage pursuant to the NPPF - Chapter 10 - Meeting the challenge of climate change, flooding and coastal change and Chapter 11 - Conserving and enhancing the Natural Environment.

13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that

there is no resultant unacceptable risk to ground water. The development shall be carried out in accordance with the approved details.

Reason - To prevent pollution of controlled water for potential contamination on site pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

14. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason. To prevent pollution of controlled water for potential contamination on site pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

15. This decision relates to drawings numbered - Feasibility Site layout Overall site B8254 F003 Rev D, relating to access; Indicative visual section locations Y299.001; Indicative visual site sections Y299.002; Site levels P0860/D/141014.1; Proposed indicative site sections B8254 F004 Rev C; Design and Access Statement and Crime Impact Assessment November 2014; Planning Statement November 2014; Post-Completion Geotechnical Investigation May 2003; Ecological Survey and Assessment Oct-Nov 2014 ref RB-14-165; Flood Risk Assessment ref JER6398 October 2014; Transportation Assessment November 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.

16. No part of the development shall be brought into use unless and until a detailed travel plan is submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. The approved measures only shall be implemented accordingly.

Reason - To ensure the trunk road network continues to fulfill its purpose as a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, maintaining the safety of traffic on the road and pursuant to Bury Unitary Development Plan Policy HT2/10 - Development Affecting Trunk Road and chapter 4 - Promoting sustainable transport of the NPPF.

17. As part of the submission of the Reserved Matters application relating to 'layout', or in the event of the reserved matters for the whole site being phased, details relating to the respective phase under consideration, an outdoor lighting scheme shall be submitted for approval to the Local Planning Authority. The scheme shall incorporate details to show there would be no light spill or illumination over the vegetated embankment that supports the trees and shrubs to the west of the site. The approved scheme only shall be implemented prior to the development hereby approved being first occupied.

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 chapter 11 - Conserving and enhancing the natural environment of the NPPF.

18. Notwithstanding the details indicated on approved plan references B8254 F003 Revision D and 141001/01 Revision B, full details of the following highway aspects shall be submitted at first reserved matters application stage:

- proposed means of access to the site from Roach Bank Road and the junction of Pilsworth Way with Roach Bank Road to an industrial specification to be agreed, including all necessary remedial works, replacement/alteration of any affected street lighting, road markings and highway drainage and implementation of any necessary traffic regulation

orders;

- emergency access route/arrangements to a width, specification and position agreed with Greater Manchester Fire & Rescue Service;
- proposed internal road layout incorporating, if necessary, the emergency access route/arrangements agreed with Greater Manchester Fire & Rescue Service.

The details subsequently approved shall be implemented in accordance with the approved details and be available for use before the development is first occupied.

Reason - To ensure good highway design and to secure the satisfactory development of the site in terms of highway safety pursuant to EC3/1 - Measures to Improve Industrial Areas and EC6/1 - Assessing New Business, Industrial and Commercial Development.

19. The visibility splays indicated on approved plan reference 141001/01 Revision B shall be implemented to the written satisfaction of the Local Planning Authority before the site access to Plot 1 & 2 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 EC3/1 - Measures to Improve Industrial Areas and EC6/1 - Assessing New Business, Industrial and Commercial Development.
20. As part of the reserved matters relating to layout of the site, or in the event of the reserved matters for the whole site being phased, details relating to the respective phase under consideration, provision shall be made within the curtilage of the site to the written satisfaction of the Local Planning Authority for the loading and unloading of vehicles and the parking of cars which visit the site in connection with the use hereby approved.
Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety pursuant to EC3/1 - Measures to Improve Industrial Areas and EC6/1 - Assessing New Business, Industrial and Commercial Development..
21. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction unless otherwise agreed in writing by the Local Planning Authority.
Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety pursuant to EC3/1 - Measures to Improve Industrial Areas and EC6/1 - Assessing New Business, Industrial and Commercial Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58223

ADDRESS: Land Off Roach Bank Road
Bury



Bury
COUNCIL

Planning, Environmental and Regulatory Services **1:1250**

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58223

Photo1



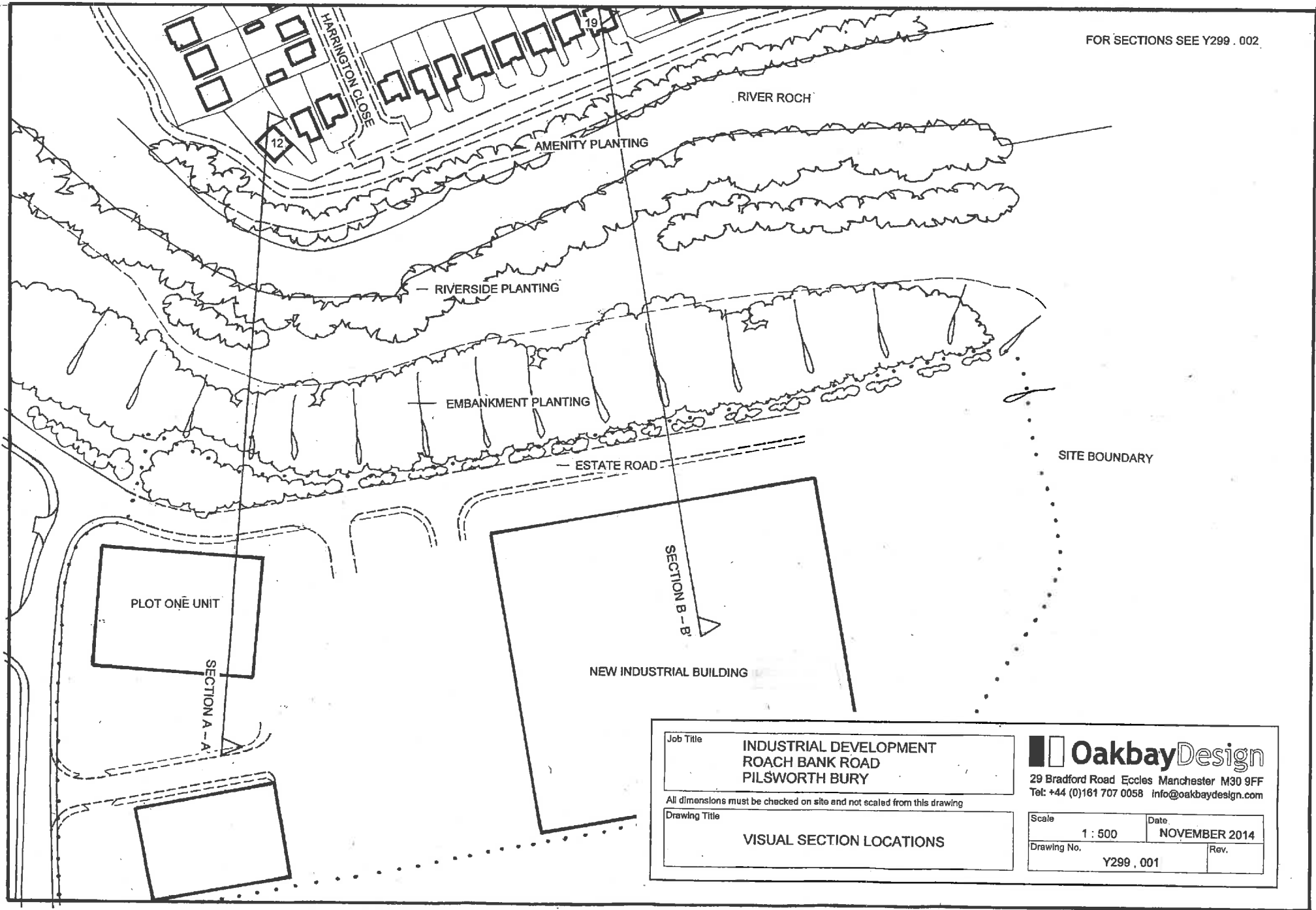
Photo 2



Photo 3



FOR SECTIONS SEE Y299 . 002



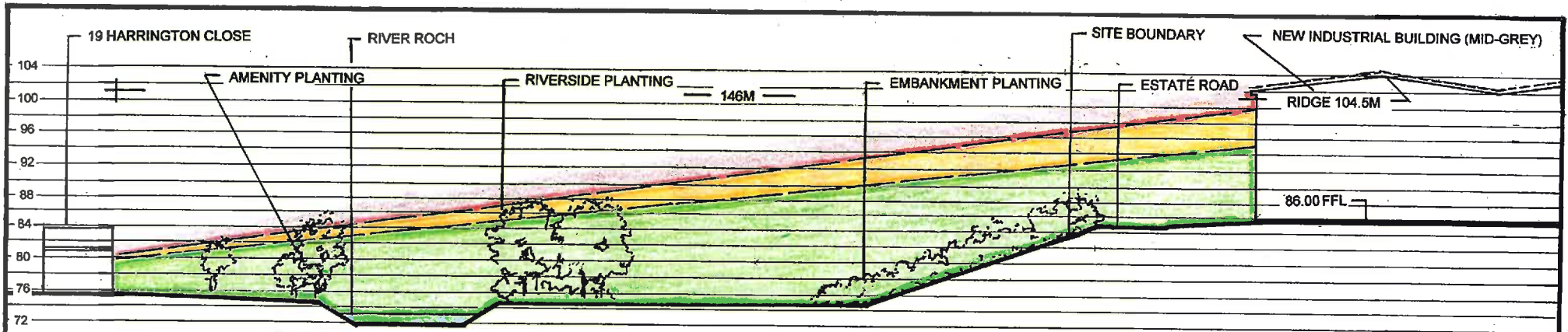
Job Title
**INDUSTRIAL DEVELOPMENT
ROACH BANK ROAD
PILSWORTH BURY**

All dimensions must be checked on site and not scaled from this drawing

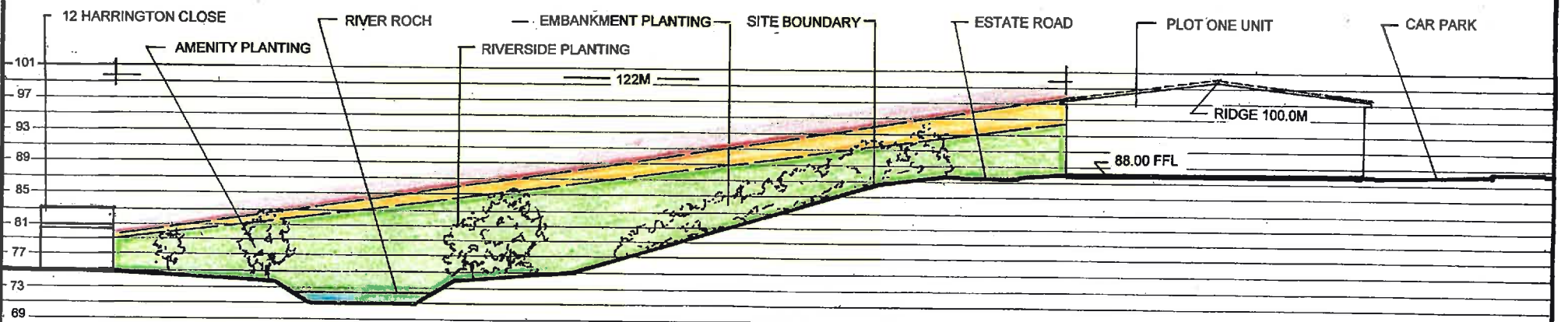
Drawing Title
VISUAL SECTION LOCATIONS

OakbayDesign
29 Bradford Road Eccles Manchester M30 9FF
Tel: +44 (0)161 707 0058 info@oakbaydesign.com

Scale	1 : 500	Date	NOVEMBER 2014
Drawing No.	Y299 . 001	Rev.	



SECTION A - A'



SECTION B - B'

- OPEN VIEW
- PARTIAL SCREENING
- SCREENED VIEW

FOR SECTION LOCATIONS SEE Y299 . 001

Job Title
**INDUSTRIAL DEVELOPMENT
 ROACH BANK ROAD
 PILSWORTH BURY**

All dimensions must be checked on site and not scaled from this drawing

Drawing Title
VISUAL SITE SECTIONS

OakbayDesign

29 Bradford Road Eccles Manchester M30 9FF
 Tel: +44 (0)161 707 0058 Info@oakbaydesign.com

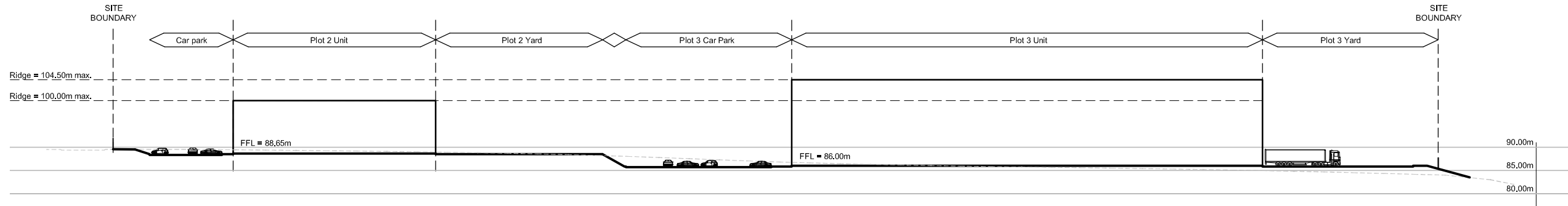
Scale 1 : 1000	Date NOVEMBER 2014
Drawing No. Y299 . 002	Rev.

NOTES

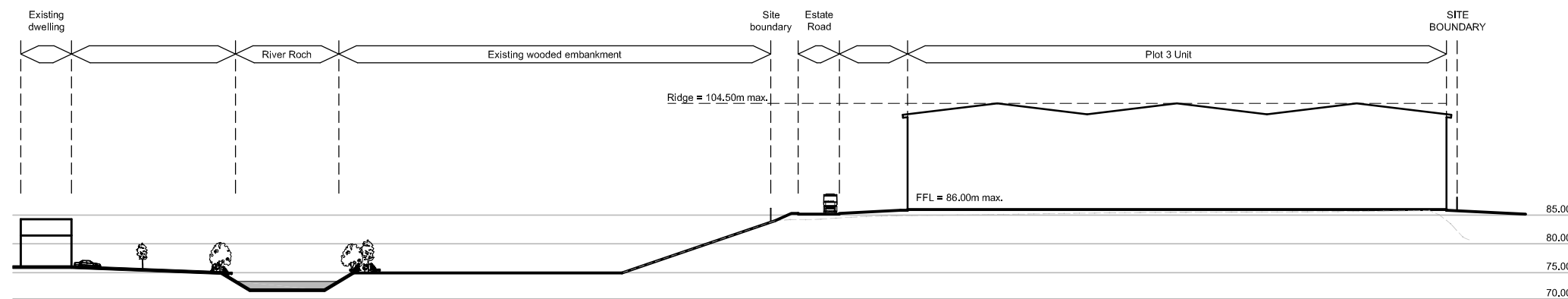
- All dimensions and levels are to be checked on site.
- Any discrepancies are to be reported to the architect before any work commences.
- This drawing shall not be scaled to ascertain any dimensions. Work to figured dims only.
- This drawing shall not be reproduced without express written permission 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

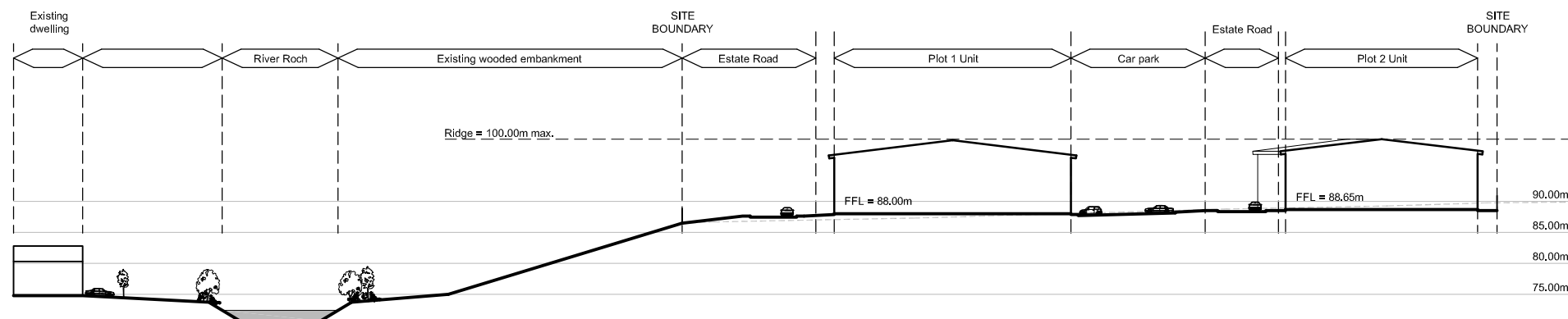
- Construction operations in close proximity to steep river embankment require specific method statements



Section AA



Section BB



Section CC

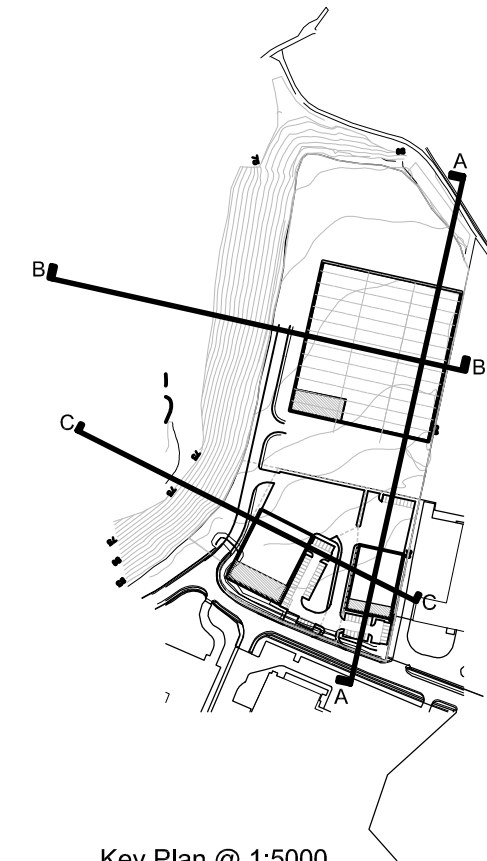
Key

- Red dashed line denotes approximate existing ground levels
- Level of River Roch and existing dwellings west of river shown indicatively only and subject to confirmation via a topographical survey

0 10 20 30 40 50m



Scale 1:1000 @ A3



Key Plan @ 1:5000

C	08/12/14	TR	GJ
Annotation amended			
B	27/11/14	DOH	AL
Key plan updated			
A	04/11/14	DOH	AL
Extent of site sections increased. Section through Plots 1 and 2 shown			
-	29/10/14	TR	DOH
Initial Issue			
drawing stage	Feasibility		
drawing status	For Comment		
client	Rota Engineering/ Casey Group		
project	Roach Bank Bury		
drawing title	Proposed Indicative Site Sections		
date	29/10/2014	drawn	TR
scale	1/1000 @ A3	checked	DOH

Ward: Whitefield + Unsworth - Pilkington Park

Item 02

Applicant: JKLM Properties

Location: 169 Bury New Road, Whitefield, Manchester, M45 6AB

Proposal: Change of use from educational (Class D1) to offices (Class B1a)

Application Ref: 58227/Full

Target Date: 12/02/2015

Recommendation: Approve with Conditions

Description

The site is a large mid terrace property in a row of 4 with garden to the front and a gated yard to the rear with 2 car parking spaces.

It is located within Whitefield District Centre and All Saints Conservation Area.

The adjoining No.171 is operating as an accountants and to the opposite side No.167 is residential. To the rear across the back access street are a pair of semi detached properties on Knowsley Road which sit side on.

The application seeks a change of use from the current D1 educational use to a B1 office use. The property is currently vacant with the last tenant leaving in August 2014. The landlord seeks a new tenant and advise from their estate agents is that the most likely tenancy will be from the office sector.

There are no proposed changes to the building and the layout would provide 3 offices at ground floor and one at first floor. Without current tenants the number of employees is unknown and the application state hours of opening to be 'normal office hours.'

Relevant Planning History

48938 - Change of use from office accommodation to educational facility for young persons (D1) - AC 20/02/2008.

Publicity

22 notification letters were sent to addresses at 118 & First Floor 118, 120-130, 126A, 165-167 & 171-173 Bury New Road, Flats 1,2,3 165 Bury New Road. Photo & Optical York Street, Carrisbrook, Knowlsey Road, 1,2 & 6 Knowsley Road.

One objection has been received from Ashlea, Knowsley Road their concerns in summary are:-

- The volume of additional traffic and vehicles that are going to be present if the use is granted.
- Currently the volume of traffic is far too high for the road and concerns have been raised about access for emergency vehicles due to the increased level of activity at the dental practice.
- There is insufficient access and parking at the rear of the property as it is accessed via a private road and is adjacent private residences.
- They struggle daily to navigate the way to the rear of their property and garage and an increase in traffic or vehicles will make this virtually impossible causing major issues in and out of Knowsley Road and causing a backlog out on to Bury New Road.

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

Consultations

Traffic Section - No objection.

Unitary Development Plan and Policies

EC5/2	Other Centres and Preferred Office Locations
S1/3	Shopping in District Centres
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
HT5/1	Access For Those with Special Needs
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 - UDP Policy EC5/2 - Other Centres and Preferred Office Locations supports office developments in district centres. The site is within Whitefield District Centre and the proposed use would therefore be acceptable in principle.

Parking - SPD11 - Parking Standards requires a maximum of 1 space per 35sqm. With 152sqm of office space the maximum required would then be 5 spaces.

The property has two parking spaces to the rear. On street parking is limited, with restrictions to the main road to the front. However, this is a high access public transport route with Bury New Road a main bus route and Whitefield Metrolink within walking distance. As such it is considered that there the 2 parking spaces are sufficient for the proposed use in this location.

Visual amenity and Conservation Area - No external alterations are proposed and therefore there would be no impact on the character of the Conservation Area.

Residential amenity - The premises has had consent for commercial use since it was granted a change of use from a dwelling in 1985. The area consists of a mix of residential and commercial uses and is an identified district centre. It is not considered that the use as offices would give rise to any noise and disturbance above that as existing in the area. As a proposed office use and having been an office previously it is not considered necessary to attach an hours restriction condition.

Access - The building can be accessed from the front along a path with two steps up to the entrance door. There is also an entrance door to the rear with a single step. There are no proposed external changes to the building with the property currently vacant. It is intended that the occupancy would be restricted to staff members and pre arranged appointments and not to members of the general public. Whilst it is not then known if there would be any disabled staff members should the situation arise then temporary ramp facilities can and would be made available at the rear entrance.

The proposal complies with UDP Policy HT5/1 - Access For those With Special Needs.

Response to objection - The parking provided as part of the proposal is addressed in the above report. The location is a district centre and the premises has been in commercial use for some time. Issues relating to parking to other premises should not restrict what is an

appropriate use for the building.

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.

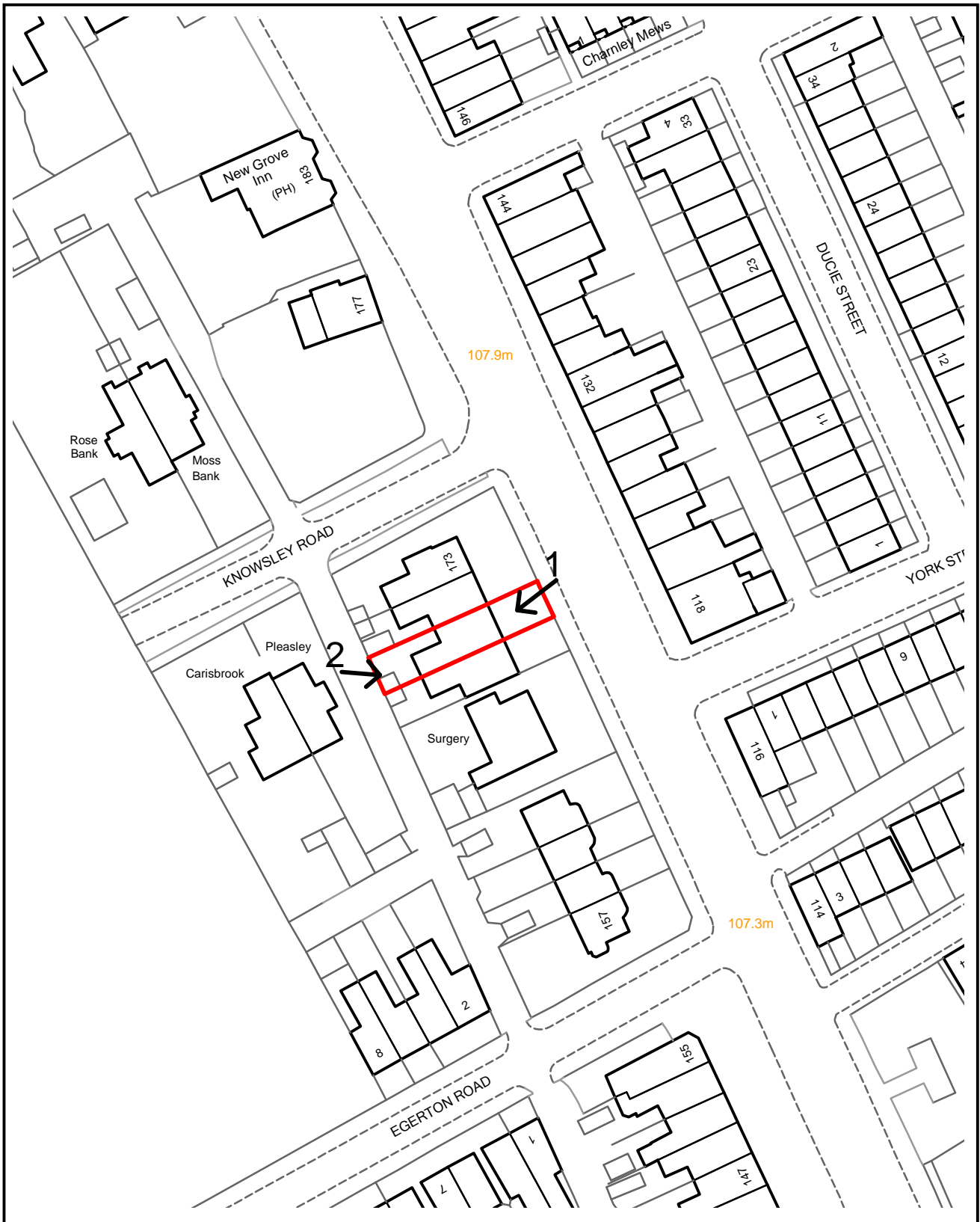
Recommendation: Approve with Conditions

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 the drawings received on 18/12/14 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 **Jane Langan** on **0161 253 5316**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58227

**ADDRESS: 169 Bury New Road
Whitefield**

Planning, Environmental and Regulatory Services 1:1250

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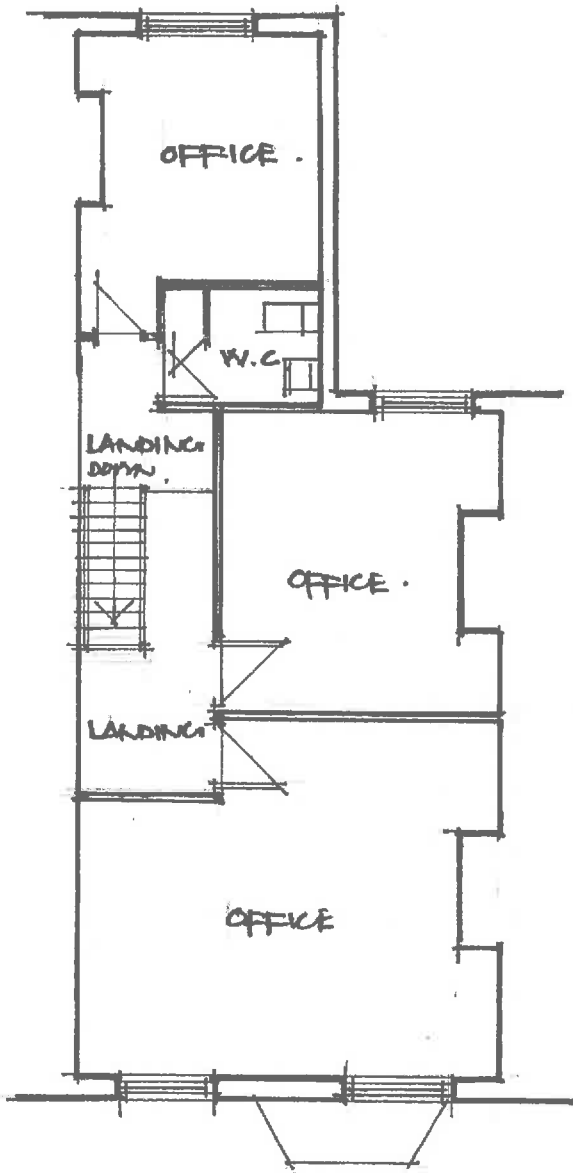
58227

Photo 1

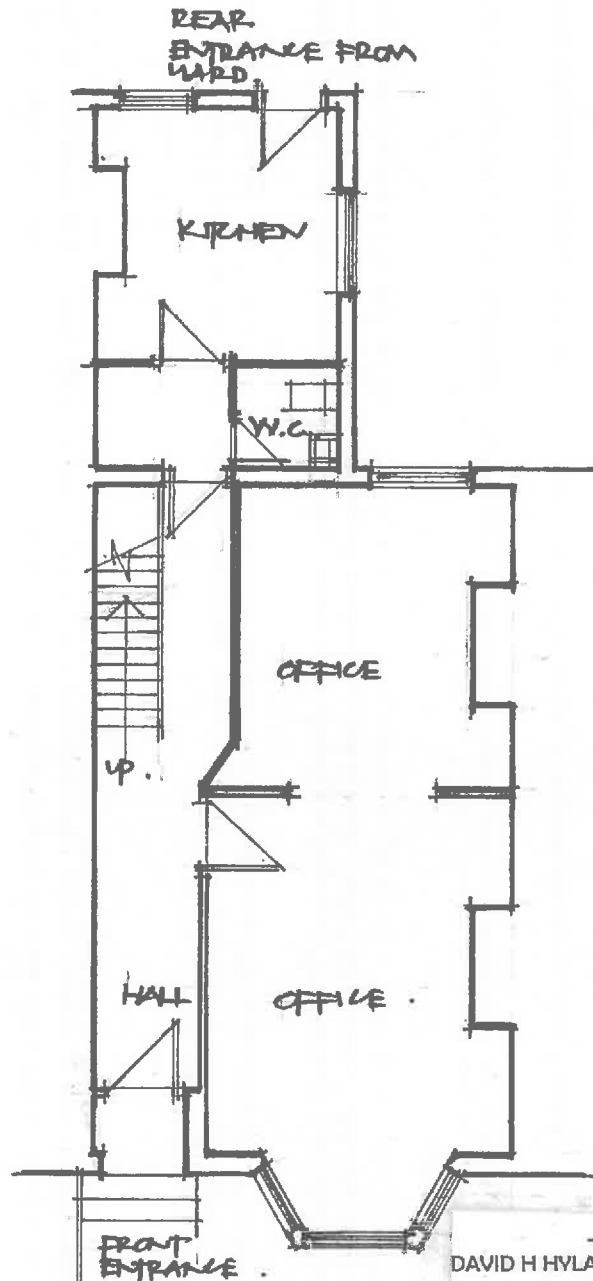


Photo 2





FIRST FLOOR PLAN

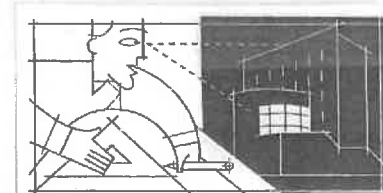


GARDEN
GROUND FLOOR PLAN.

PROPOSED CHANGE OF
USE.
169 BURN NEW ROAD
WHITEFIELD.

EXISTING PLANS, SCALE 1:100.

NOTE.
NO WORKS OR ALTERATIONS ARE
PROPOSED IN THE CHANGE OF USE OF
THE BUILDING FROM EDUCATIONAL
TO OFFICES.



DAVID H.
HYLAND
DESIGN

- ARCHITECTURE - INTERIOR DESIGN - PROJECT MANAGEMENT -
DAVID H HYLAND DESIGN M.C.I.A.T. 3 THE GRANGE BOLTON ROAD EDGWORTH BOLTON BL7 0AW
• TEL/FAX 01204 856926 • MOBILE 07958 630331 • E-MAIL m6dhh@aol.com •

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 03

Applicant: Irwell Works Brewery

Location: Irwell Works Brewery, Irwell Street, Ramsbottom, Bury, BL0 9YQ

Proposal: BREWERY painted in white letters on brewery roof (retrospective)

Application Ref: 58301/Advertisement **Target Date:** 04/03/2015

Recommendation: Approve with Conditions

This application is being presented to the Committee as an application that has raised a novel planning issue being the first advert application of its kind in the Ramsbottom Conservation Area for some considerable time.

Description

The application site comprises a two storey stone building with slate roof located within Ramsbottom Conservation Area. It is a former workshop building that has been converted to a micro brewery, visitor centre and living accommodation.

To the west side are residential properties and to the north a public car park. To the east side is a supermarket with its car park to the south.

The application seeks retrospective advertisement consent for white painted lettering stating 'BREWERY', which has been added to the westerly side roof slope.

Relevant Planning History

52311 - Change of use from light industrial (Class B1) to micro-brewery (Class B1) and visitor centre (Class A4) - Approved Conditionally 09/06/10.

56229 - Proposed balcony to east elevation; Raising of highway to Prince Street - Approved Conditionally 08/11/2013.

56230 - 3 No. 'halo' illuminated signs to first floor window openings on north elevation (Strang Street); Non-illuminated fascia sign mounted at roof level to west elevation (Square Street) - Approved Conditionally 13/08/2013.

57595 - Non-material amendment following grant of planning permission 56229 for a proposed balcony to east elevation and raising of highway to Prince Street; For additional steel column with repositioning of all columns closer to existing building - Approved Conditionally 03/06/2014.

Publicity

None required.

The Enforcement Team notified the complainant of the application. No comments have been received.

Consultations

None.

Unitary Development Plan and Policies

EN1/9 Advertisements

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

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.

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be considered on their impact on amenity and safety.

UDP Policy EN2/2 - Conservation Area Control reflects the requirements of the Town & Country Planning (Listed Buildings and Conservation Areas) in that development proposals within a Conservation Area will only be acceptable if it preserves or enhances the special character or appearance of the area.

Amenity and Conservation Area Considerations - The building is not a listed building and sits at the edge of the Conservation Area and the west side roof slope with the painted lettering, faces towards Cross Street. The north gable elevation of the building has advertising in the form of 3 halo externally illuminated signs to the first floor windows.

Cross Street is a fairly steep road with residential properties either side and leads up to Bolton Street, which is a main route through Ramsbottom. It is from this aspect that the lettering is most readily visible and covers approximately half the building's roof slope.

The lettering is large but of a simple design. Whilst it appears quite prominent at present it will over time take a more weathered appearance.

The addition of hand painted lettering to gable walls and roofs is historically an area used for advertising on industrial buildings. This type of advertising would not necessarily be appropriate to many buildings. However in this case, the building is of a traditional industrial appearance.

The surrounding buildings are mainly residential to the westerly side of the site and with a supermarket building to the east and as such there would not be scope for numerous advertisements of this type in the vicinity.

It is not therefore considered that the lettering is inappropriate to the building or an unduly intrusive feature within the street. It is of a type of advertising that has traditional roots and appearance and is found in many areas of Conservation Area status and even on listed buildings. As such, it is considered that the advertisement would preserve the character of the Conservation Area.

Safety - The advert would not cause hazard or distraction to motorists.

The proposal complies with UDP Policy EN1/9 - Advertisements and EN2/2 - Conservation Area Control.

Recommendation: Approve with Conditions

Conditions/ Reasons

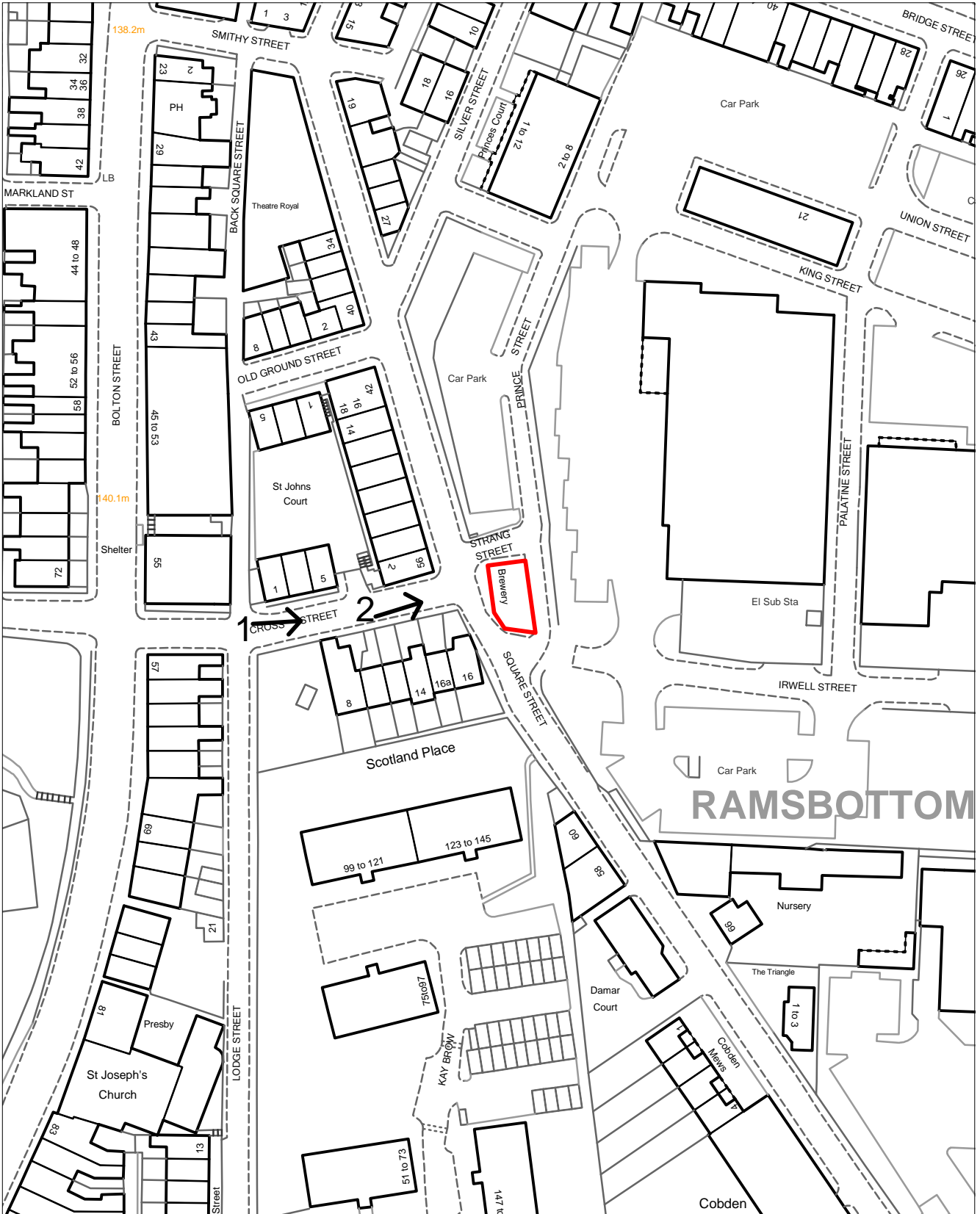
- . Standard Conditions

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigate by water or air, or so as to render hazardous the use of the highway, railway, waterway or aerodrome (civil or military).

Reason for standard conditions: In the interests of amenity and in accordance with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

For further information on the application please contact **Jane Langan** on **0161 253 5316**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58301

**ADDRESS: Irwell Works Brewery, Irwell Street
Ramsbottom**



Planning, Environmental and Regulatory Services 1:1250

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58301

Photo 1



Photo 2



Ward: Prestwich - Sedgley

Item 04

Applicant: Aish Kodesh

Location: 36 Bury Old Road, Prestwich, Manchester, M25 0FT

Proposal: Change of use from dwellinghouse (Class C3) to place of worship (Class D1) (retrospective)

Application Ref: 58311/Full

Target Date: 03/03/2015

Recommendation: Approve with Conditions

Description

The site comprises a 4 bedroomed traditional style brick and render detached property with double glazing. It has a large front garden and a rear garden on 2 levels which slopes up to properties on Castle Hill Road. It is set in an elevated position on a busy main road opposite semi-detached residential properties and close to the Bury Old Road/Kings Road Local Shopping Centre.

There is currently parking for 3 vehicles on the site and a turning area to allow vehicles to enter and leave the site in first gear.

The boundary to Bury New Road frontage is a traditional domestic stone garden wall with the elevated front garden behind (similar to all the properties along this frontage). The other 3 boundaries to the neighbouring residential properties, are a mix of fences, planting and hedges.

The application is a retrospective one to change the use of the house (Use Class C3) to a place of worship (Use Class D1).

Relevant Planning History

Planning Enforcement - 14/0481 - Being used as a place of worship - 12/01/2015

Publicity

Immediate neighbours at 32, 34, 37, 39, 41, 43 and 45 Bury Old Road and 1 and 3 Castle Hill Road were written to on the 6th January 2015 and comments have been received from 32 and 34 Bury Old Road and 4 Rothsay Close. These comments can be summarised as follows:

- the development will be of detriment to the neighbours residential amenities
- the development will increase parking on Castle Hill Road
- additional parking should be provided
- it is in close proximity to other places of worship and they make parking in the area difficult, especially on Fridays
- there is sufficient capacity at the existing synagogues in the area
- noise will cause a problems to neighbours
- the use of outside areas for religious services will be of detriment to neighbours amenity
- potential pest control issues
- the location of a communal use building in the middle of residential properties is inappropriate and would cause the loss of a family home which is needed
- other commercial properties in the area would be a better location for the use
- security will be an issue for the residents if high fences have to be erected

The respondents have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections on highways grounds.

Environmental Health Pollution Control - No comments received to date, any received will be reported in the Supplementary.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
CF1/1	Location of New Community Facilities
H3/1	Assessing Non-Conforming Uses
EN7/2	Noise Pollution
EN1/2	Townscape and Built Design
HT5	Accessibility For Those With Special Needs

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 - This area of Prestwich has a diverse religious community. The Jewish religion places various constraints on its participants and one of them is that they may not use mechanical devices of any kind on the Sabbath. This particular group, the Adass Aish Kodesh (the applicants), have specific religious beliefs that mean that the existing synagogues on Kings Road and Bury Old Road are not regularly attended by this group and they have a need to meet and worship together.

The use of domestic properties for various community uses, doctors, dentists or places of worship are not uncommon and the impact that they may have on other residential uses nearby can often be controlled by the placing of appropriate planning conditions on the operation of the use. With such conditions this would be a new 'community' facility and it is considered that from a land use point of view it would be in compliance with the UDP policies CF1/1 - Location of New Community Facilities.

Residential amenity - The group currently has 35 male members and 10 female members and they all live in the immediate surrounding area, within a 5 to 10 minute walking distance.

The premises will be used for religious services on the Sabbath, Friday night sundown, Saturday morning until mid day and Saturday evening at sundown. In addition there are approximately 22 days a year that are also religious holidays when services will take place at similar times. In addition it is proposed that the premises will be used for two weekday gatherings, one on Sundays between 18.30 to 20.00 and Tuesday evenings 20.30 to 22.00. It is intended that the whole of the property, ground and first floor be used for religious purposes and it is the applicants intent that the first floor be used for a women's group in the future.

Most of the religious activities take place indoors, but there are a restricted number of 'blessings' during year that take place outside 30 minutes after sunset. These typically last 10 to 15 minutes.

Issues

Overlooking - By the nature of this group, visitors to the premises for the religious services and meetings will come on foot. As such there will not be a volume of vehicular traffic that could cause disturbance to the neighbours. The property has its own driveway and the

boundaries to the front consist of timber fences and planting. At the top of the driveway it is possible to see into both of the neighbours windows at this time of year as the planting is of a deciduous type. This would lead to a loss of amenity to these neighbours if no other means preventing overlooking were to be provided. The applicant has indicated that they are willing to provide a 1.8m high fence along the boundary with all neighbours, not just at the front but also at the rear. If this were to be provided, then the issue of a loss of residential amenity from overlooking would be mitigated and as such it is recommended that a condition be imposed requiring a scheme to be submitted within 1 month and to be implemented within 1 month of it being agreed and for it then to be maintained.

Noise - Religious services can be noisy. However, the property is a substantial brick built, double glazed detached residence and as such any noise 'leakage' from the building should be minimal. The site is also on a busy main road that has a relatively high ambient noise level. In order to ensure that noise from the premises is not to such an extent as to create a detriment to amenity, it is recommended that a noise condition be imposed requiring the noise levels at the boundary of the site, next to the neighbours windows, does not to exceed 35 dB(A), which has been successfully used elsewhere.

While this should protect the amenity of the neighbours from the noise of religious services within the premises, when services are held outside, this restriction would be unreasonable. As such it is recommended that the hours of any religious activity or gathering be limited to no later than 22.00 hours at any time outside the property. If noise is excessive from these activities the owners of the property would be subject to action under the relevant Noise legislation enforced by the Council. In addition, because there is a possibility of disturbance from people leaving the premises after the services, as such a condition is recommended requiring the premises to be vacated by 22.30 and the use cease.

With the recommended conditions it is considered that the proposal would comply with Unitary Development Plan Policy H3/1 Assessing Non-Conforming Use.

Access - By the nature of the religious activity proposed vehicular access will not be an issue as people will be walking to the premises for the services and meetings. However, it is possible that some members of the group would need to be dropped off due to infirmity, and as such it is recommended that a scheme be required showing how a disabled parking space can be provided on the site and requiring this to be implemented. Given that there is already a turning area and a very large front garden, this should be capable of being provided without a material impact on the street scene. In addition, the property has no adaptations for people with disabilities. However, as it is a change of use of the whole property, it will be subject to compliance with Building Regulations as such Part M of the regulations concerning access, will be required to be complied with. As such it is recommended that an advisory be added referring to the need to comply with the Building Regulations.

Streetscene - No external alterations are proposed to the building and the front boundary wall and garden area are substantially to be retained. As such the proposed will not impact on the street scene and it will comply with UDP Policy EN1/2 - Townscape and Built Design.

Objections - The issues over parking, noise, loss of residential amenity and the use have been dealt with in the main body of the report. The issue about the security of the site will partially be dealt with by the recommended condition on the requirement for new boundary treatment. However, there are no permitted development rights for this use and as such any additional fencing or indeed alterations to the premises of any type will need a further planning application.

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

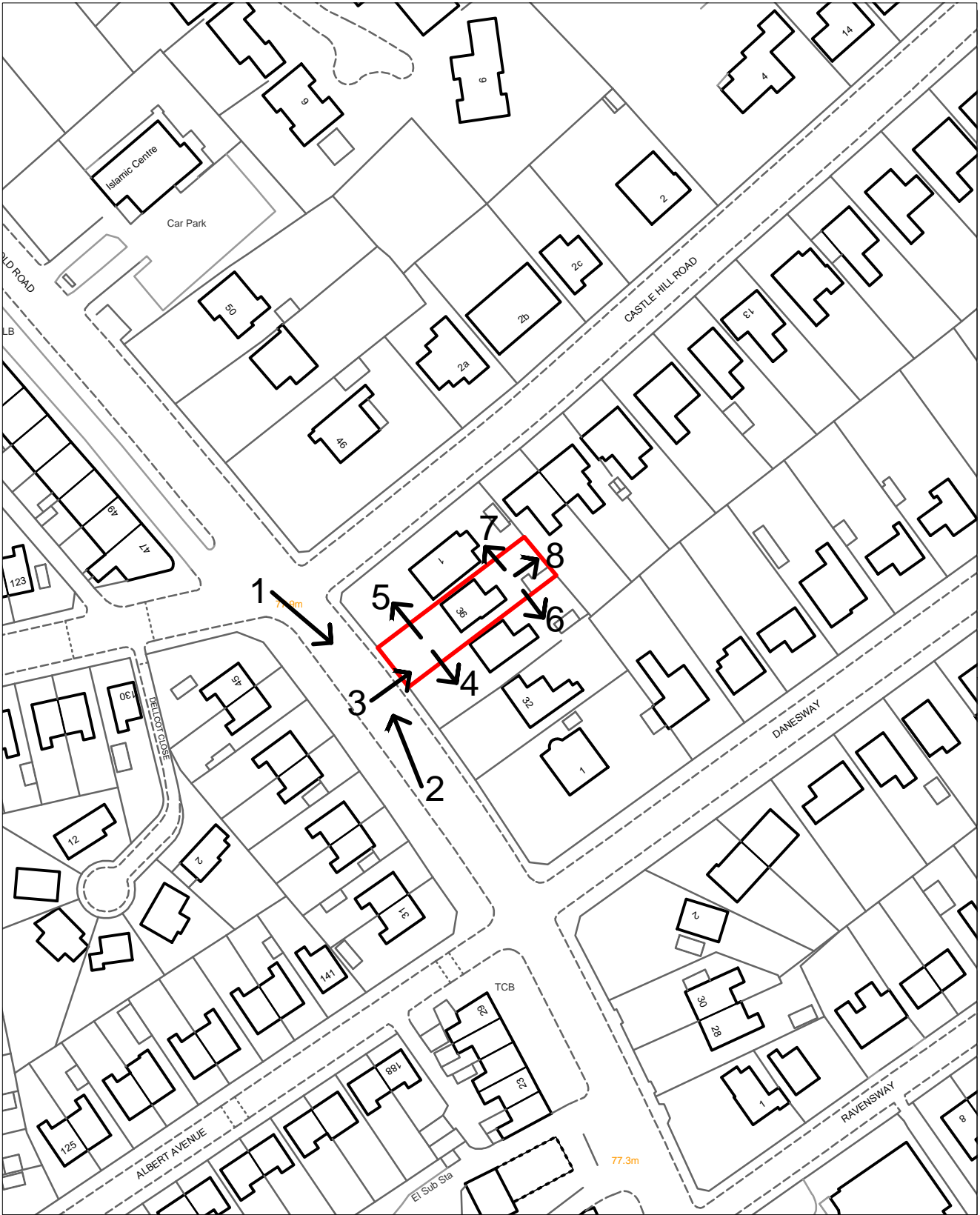
Conditions/ Reasons

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 drawing numbered DA14113.02 as amended by the conditions below and the development shall not be carried out except in accordance with the drawings hereby approved and the conditions below.
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. Any noise breakout from the activities within the building premises shall not exceed 35dB(A) freefield, measured or calculated as appropriate at any openable window of any residence immediately adjacent. This will be established as a Sound Pressure Level (LAeq,5min).
Reason. To safeguard the amenities of the occupiers of nearby residential properties pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
4. No religious services or activities shall take place outside the property after 22.00hrs daily.
Reason - To protect the residential amenities of the neighbours pursuant to Unitary Development Plan Policy H3/2 - Non-Conforming Uses and and CF1/1 - New Community Uses.
5. Within 1 month of the date of this permission a scheme showing details relating to the proposed boundary treatment for the site showing planting and a 1.8m high boundary fence to all the residential properties adjacent, shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented within 1 month of the date of it being approved and thereafter maintained while the site is used for religious purposes.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan and CF1/1 - New Community Uses.
6. Within 1 month of the date of this consent a scheme shall be submitted to the Local Planning Authority showing the provision of a disability parking bay within the site. Within 2 months of the written approval of the scheme, it shall be laid out and made available for use prior to the use hereby approved commencing, to the written satisfaction of the Local Planning Authority, and thereafter maintained.
Reason. To ensure that the development is fully accessible to disabled persons and Unitary Development Plan HT5/1 - Access with those with Special Needs.
7. Provision shall be made within the site to the written satisfaction of the Local Planning Authority to enable vehicles to enter and leave the site in forward gear, and shall subsequently be maintained free of obstruction.
Reason. To minimise the standing and turning movements of vehicles on the

highway in the interests of highway safety.

For further information on the application please contact **John Cummins** on **0161 253 6089**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58311

**ADDRESS: 36 Bury Old Road
Prestwich**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

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58311

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6

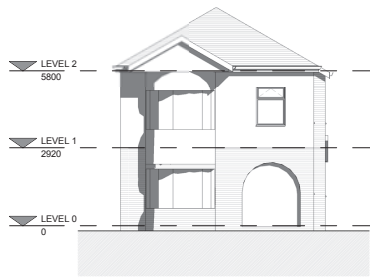


Photo 7

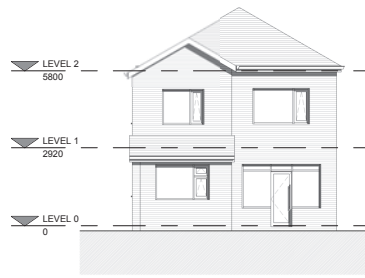


Photo 8





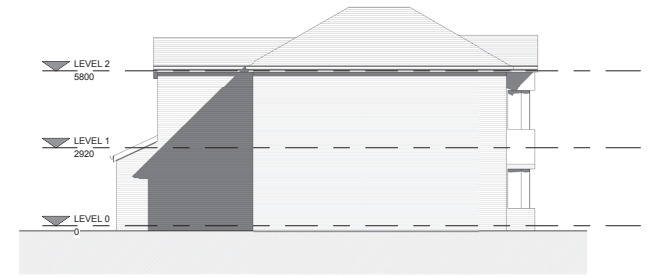
1 Front - Existing
1:100



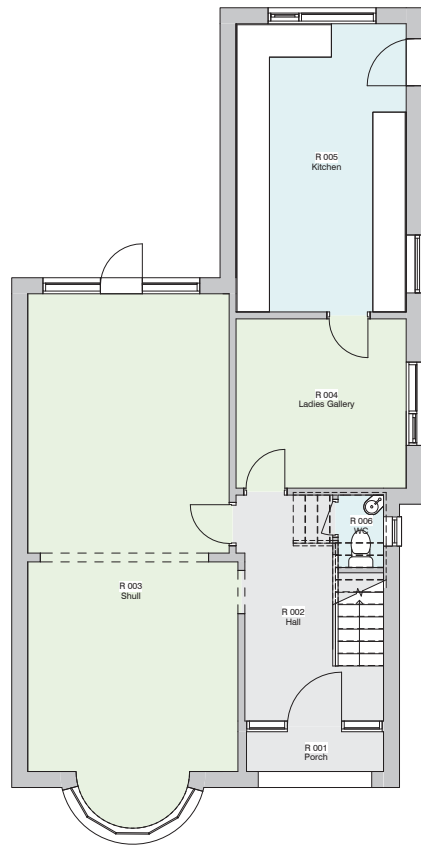
2 Rear - Existing
1:100



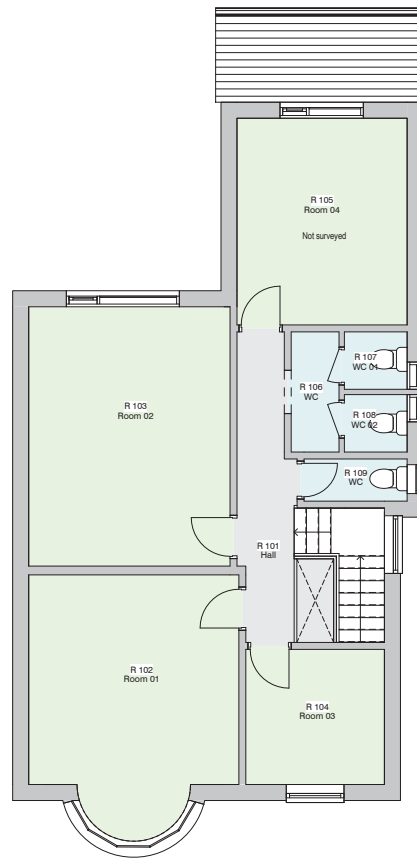
3 Section - Existing
1:100



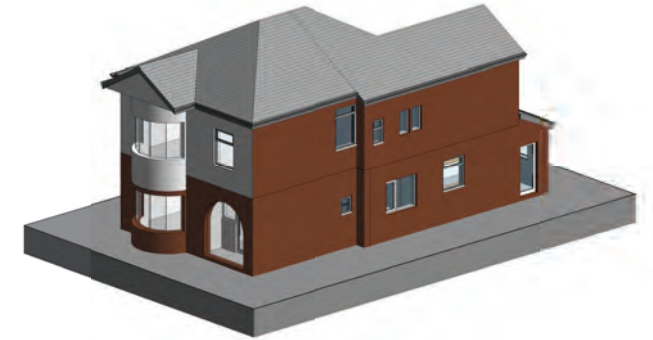
4 Side - Existing
1:100



5 Level 0 - Existing
1:50



6 Level 1 - Existing
1:50



7 3D - Existing View

ROOM SCHEDULE EXISTING			
Level	Number	Name	Area
LEVEL 0	001	Porch	2 m ²
LEVEL 0	002	Hall	10 m ²
LEVEL 0	003	Shull	36 m ²
LEVEL 0	004	Ladies Gallery	10 m ²
LEVEL 0	005	Kitchen	17 m ²
LEVEL 0	006	WC	1 m ²
LEVEL 1	101	Hall	10 m ²
LEVEL 1	102	Room 01	17 m ²
LEVEL 1	103	Room 02	18 m ²
LEVEL 1	104	Room 03	7 m ²
LEVEL 1	105	Room 04	12 m ²
LEVEL 1	106	WC	2 m ²
LEVEL 1	107	WC 01	1 m ²
LEVEL 1	108	WC 02	1 m ²
LEVEL 1	109	WC	2 m ²

DEBTAL ARCHITECTURE
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PRT Corporation Ltd
36 Bury Old Road

Existing GA Plans & Elevations

DA14113.002.

FOR APPROVAL
As Indicated 19 DEC 2014 AT



Ward: Ramsbottom + Tottington - Tottington

Item 05

Applicant: Mr Jason Briggs

Location: Land off Lower Kirklees Street, Tottington, Bury, BL8 3NS

Proposal: Retention of stables block

Application Ref: 58312/Full

Target Date: 02/03/2015

Recommendation: Approve with Conditions

Description

The site concerns a plot of land which is located within the Green Belt, River Valley and Wildlife Link and Corridor. It is also designated an Informal Recreation Area in the Bury Unitary Development Plan and is on the boundary with a Grade A SBI to the east and Kirklees Local Nature Reserve beyond this.

There are residential properties to the west on Kirklees Close and open fields to the north and south. Kirklees Street continues from the residential area as a rural lane and skirts the northerly boundary of the land, with access to the site via a set of double steel gates.

The site itself is bounded by a corrugated iron panels along Kirklees Street, a timber fence and tree planting along the western boundary and the land slopes gradually away to the east where there are trees and open land beyond the site boundary.

The site has historically accommodated stables along the western boundary, dating back to 1979 according to the applicant. Permission was granted more recently in 2012 for replacement stables, a work shed, greenhouse and play equipment in association with an environmental education community project. These stables have since been removed and the concrete slab on which they were sited remained.

The applicant has since erected a stable block on the existing concrete hardstanding without the benefit of planning permission.

This application therefore seeks retrospective approval for the retention of the stables block and approval for a proposed associated midden area.

The stable block comprises of a single block of 4 stables with a tack room and food store, and would measure 22.35m x 3.27m and would be 2.4m in height. It is a timber structure with plywood sheeting on a concrete plinth, with a corrugated fibre sheet roof. The stables are located 26m from the site access onto Kirklees Street and more than 50m from the nearest residential property on Kirklees Close to the west. The stables are constructed on the same footprint as the previous approval for the replacement of timber stables as part of the development under reference 55522 (see history below).

The midden would be located on the south side and directly adjacent to the stable block. It would sit on a 3m x 4m concrete slab enclosed by 3-sided block perimeter walls. A steel sided trailer would be stored in the area and used to dispense the manure.

Relevant Planning History

55522 - Replacement timber stables/work shed/greenhouse and installation of play equipment to be used as an environmental education community project - Approved 31/10/2012.

50607 - Erection of steel mesh fencing including 2 pairs of steel palisade double gates and

1 single gate (resubmission) - Refused 13/11/2008

50392 - Erection of steel palisade fencing including 2 pairs of double gates and 1 single gate - Refused 15/10/2008

Publicity

19 letters sent 12th January 2015 to properties at 1 Beryl Avenue, 3,4, Kirklees Close, 4 Prospect Court Kirklees Street, 11,18,20 Avalon Close, 1,3,5 Ivy Cottages Kirklees, Greenmount Wild Bird Hospital Kirklees, 5 Blandford Close Bury, 1 Thornfield Road Tottington, 124 Heys Road Prestwich. (5 addresses at Oldham and London relating to letters of support for the previous application reference 55522).

Advert in the Bury Times on 15th January 2015.

Site notice posted 15th January 2015.

20 Avalon Close, 6 Beryl Avenue (2 letters), 1 Rhine Close, 11 Cinnabar, 39A Bradshaw Road, 18 Back Lane which raises the following issues:

- Object to anything else happening on this land before previous matters have been dealt with, ie, the planting of fast growing non native trees (now over 6m high) and the erection of a high solid fence to hide the static caravan on site;
- The land is Green Belt;
- There appears to be no control over the manure storage and no evidence of a disposal plan for the manure;
- The applicant has little regard for what is right and appears to fly in the face of the law and regulations as evidenced by the building without planning permission;
- The site which is on the Kirklees valley trail and there is rubbish everywhere ruining the local environment and damaging Carcus lodge;
- Object as it is unauthorised and rules should be obeyed. Believe the buildings should be demolished;
- The applicant is lacking in integrity as he breached a lease with The Enterprise Centre Charity which resulted in the charity losing all their investment. The stables are on ground which was prepared and paid for legally by the Enterprise Charity;
- Do not consider the project beneficial to the locality and especially the immediate neighbourhood;
- Additionally it should be noted there are now 4 large horses on site and the midden is already at a point likely to cause contamination to the waters of Carcus Lodge which is of great environmental concern of Bury District Angling Society for the welfare of the fish and also the other wildlife.

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

Consultations

Traffic Section - No objection.

Drainage Section - No objection subject to condition.

Greater Manchester Ecology Unit - No objection subject to conditions.

Public Rights of way Officer - No objection

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt

OL1/5	Mineral Extraction and Other Dev in the Green Belt
OL4/7	Development Involving Horses
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
HT4	New Development
EN6/4	Wildlife Links and Corridors
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD10	Planning for Equestrian Development
RT3/2	Additional Provision for Recreation in the Countryside
EN5/1	New Development and Flood Risk

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 states that the construction of new buildings within the Green Belt is inappropriate development. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it is in the same use and not materially larger than the one it replaces; and
- limited infilling in villages

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

Policy OL4/7 states that the keeping of horses for recreational purposes or on a commercial basis would be considered acceptable where it would not have an adverse impact upon the appearance of the rural areas and high standards of design will be expected as part of any proposals.

Policy OL5/2 - Development in River valleys states that new buildings or the change of use of existing buildings or land will not be permitted. The exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections. Where the area is designated as Green belt the established Green Belt policies will apply.

SPD8 - New Buildings and Associated Development in the Green Belt provides general design related advice and clarity on acceptable forms of new buildings and associated development. The provision of facilities for sport and recreation is viewed as an appropriate use in the Green Belt subject to schemes according with policy requirements.

SPD10 - Planning for Equestrian Development expands upon UDP Policy OL4/7 and expects development proposals for keeping horses to have minimal impacts upon the surrounding area, particularly in terms of size, scale, design, siting and maintenance.

Principle - The site has been used for equestrian purposes since 1979 and more recently by the grant of approval for stables in 2012. Essential facilities for outdoor recreation is

considered to appropriate development within a Green Belt location and in compliance in principle with the NPPF and UDP policies OL1/2 and OL4/7.

Design and appearance -

Stables - SPD10 advises on the number, size, siting and design of stables. They must be genuinely required by the applicant and generally comprise of 3/4 stables and a store area for tack/hay feed etc. They should be located near to existing buildings or close to corners of paddocks and boundaries is preferable, be well designed and in keeping with surroundings and tack rooms/stores be part of the same building complex.

The stables and stores are sited on an existing concrete base along the western boundary of the site and have a maximum height of 2.4m. They are screened from view to the north and west by existing fencing and trees respectively. The stables are a timber construction, with an external plywood sheeting and corrugated fibre sheet roof which are temporary materials and comply with the requirements of the SPD and as such considered to be fit for purpose to ensure the welfare of the horses and acceptable in terms of height, form and scale. Accordingly, it is considered the stables do not have an impact on the openness of the Green Belt and would be in accordance with Policies OL1/2 and SPD10.

Impact on residential amenity - The stables are more than 50m from the nearest property's on Kirklees Close, separated by woodland and a green field. There is also intervening tree planting along the western boundary which partly screens the building. The size and height of the stables are within what is reasonably expected for stabling and its position located close to a boundary at the edge of a field is considered to be appropriately sited. Given the significant distance away and taking into consideration there has historically and more recently been stables sited in this exact location which have had planning permission, it is considered there is not an adverse impact upon the amenity of the neighbouring properties.

Notwithstanding the acceptability of the proposal, it is considered prudent to include a condition that should the use of the stables discontinue, that they are removed from site.

The midden/manure treatment area would be located directly adjacent to the stable block and enclosed by a block wall. It would be a size and scale appropriate to the number of stables proposed and located 50m from residential properties is considered to be acceptable and would not cause a nuisance to nearby occupiers.

As such, it is considered the proposals would accord with UDP Policy EN7/2 - Noise Pollution, SPD8 - New Buildings and Associated Development in the Green Belt and SPD10 - Planning for Equestrian Development.

Waste arrangements - SPD10 states that muck heaps should be sited where they would not contaminate watercourses and damage wildlife/biodiversity features and not sited where they will cause a nuisance to houses or public rights of way.

Currently, there is a midden which is not contained, and manure is piled on the ground in the middle of the site. The applicant proposes to relocate the midden to a purpose built enclosed area which would be located directly adjacent to the stables. The waste would be stored on a trailer which would be contained within the midden and enable it to be distributed to land where it can be spread. It would be located 50m from the houses to the west on Kirklees Close and 65m from the nearest watercourse to the east.

For a development of this scale, the proposed manure storage facility is considered to be appropriately sited and sufficient in size to store waste without causing concern in terms of pollution or impact on residential amenity.

These arrangements are therefore considered to be acceptable and be in compliance with SPD10.

Drainage - Whilst the proposal is relatively small in scale and water run off from the development is unlikely to be significant, draining within the site area, SPD10 advises that planning applications for stables should include drainage details. The Drainage Section have been consulted on the application and have raised no objection to the development with a condition recommending details of surface water drainage aspects are submitted for approval.

Ecology - The site is located near to the Kirklees Valley Local Nature Reserve and an SBI and there are a number of invasive species which are common in the valley and could be present on site. GMEU have been consulted and raise no objection to the proposals in principle, with recommended conditions concerning treatment of invasive species and a restriction in the timing of any tree removal, although no trees are proposed to be removed as a result of the development.

The proposals are considered not to have a detrimental impact on the ecological value of the area and would comply with EN6 - Conservation of the Natural Environment.

Response to objectors -

- Drainage and midden issues have been covered in the above report.
- The stables are currently unauthorised and this application seeks to regularise the situation
- The objections which relate to the termination of the use of the previously approved scheme ref 55522, are not material planning considerations.

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 Site location plan 1 (amended 29 Jan 2015); Proposed elevations and layout amended 30-01-15; Planning Statement January 2015 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Prior to any earthworks, a survey for invasive plant species including Japanese knotweed, giant hogweed and himalayan balsam should be carried out and submitted to the Local Planning Authority. If any invasive species are present a method statement detailing measures to avoid an offence to an agreed timetable should be submitted to and agreed by the Local Planning Authority prior to the commencement of any earthworks. The approved measures only shall be implemented.

Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

4. The midden area hereby approved shall be made available for use within 4 weeks of the date of the development hereby approved and prior to the removal of the existing manure/muck heap. The existing manure/muck heap area shall be removed within 6 weeks of the grant of permission.
Reason. To ensure there is provision for animal waste bi-products in the interests of safeguarding the environment from pollutants pursuant to Bury Unitary Development plan Policy EN7 - Pollution Control and chapter 11 - Conserving and enhancing the natural environment of the NPPF.
5. No development shall commence unless and until details of surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include an assessment of potential SuDS options for surface water drainage and arrangements to deal with run-off from areas containing manure or other contaminants. The approved details only shall be implemented and thereafter maintained.
Reason. To prevent pollution of controlled water for potential contamination on site pursuant to Chapter 11 - Conserving and enhancing the Natural Environment.
6. The stables hereby approved shall be removed from site to the written satisfaction of the Local planning Authority within 6 months of the use ceasing operation and the land reinstated to its former state.
Reason: In the interests of the visual amenity pursuant to Policies OL1/2 – New Buildings in the Green Belt, OL4/7 - Development Involving Horses and Supplementary Planning Document 10 - Planning for Equestrian Development of the Bury Unitary Development Plan.

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

58312

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5

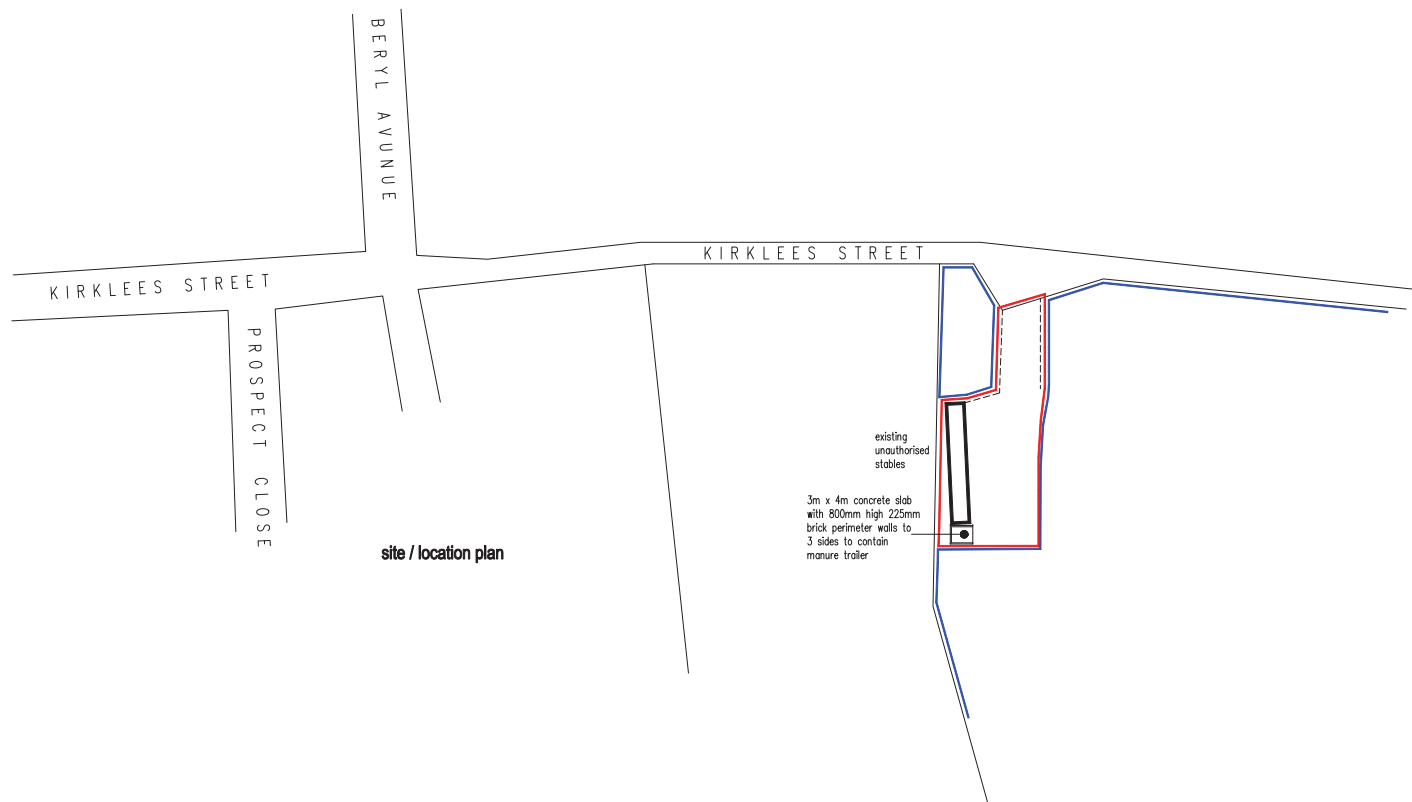
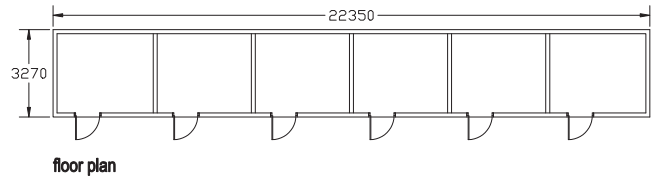
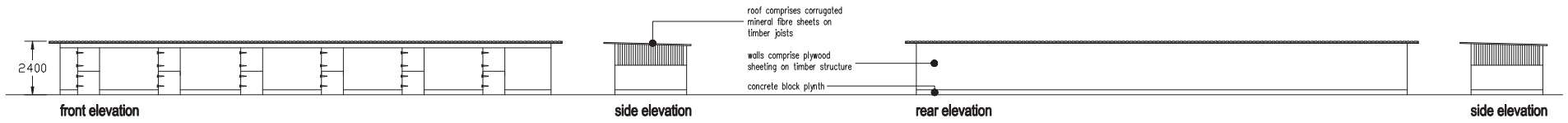


Photo 6



Photo 7





amended 30-01-15
 in response to comments from Development Control, Bury
 menage removed
 manure trailer added

proposed retention of stables plus
 an associated menage on land at

**Kirklees Street
 Tottington
 Bury**

scale 1:100 1:500 @ A1
 0m 10m
 linear scale 1:100 @ A1

Rae Connell Associates Building Design and Planning Consultants
 214 Burnley Road Bacup Lancashire 01706 873000