

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>02 June 2015</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **Executive Summary**

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

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

### **This report has the following implications**

**Township Forum/ Ward:** Identified in each case.

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

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

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

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

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

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

## **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.



**Recommendation:** Approve with Conditions

**Site Visit:** Y

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**07 Township Forum - Ward:** Radcliffe - North

**App No.** 58590

**Location:** 22 Cockey Moor Road, Bury, BL8 2HB

**Proposal:** Demolition of existing bungalow and erection of 2 storey replacement dwelling (resubmission)

**Recommendation:** Approve with Conditions

**Site Visit:** Y

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**Applicant:** Mr Anthony Corris

**Location:** 398 Brandlesholme Road, Bury, BL8 1HJ

**Proposal:** Erection of detached dormer bungalow (revised house type) (Retrospective)

**Application Ref:** 58431/Full

**Target Date:** 08/04/2015

**Recommendation:** Approve with Conditions

**This application was deferred at the previous Planning Control Committee in April pending a further period of neighbour consultation following amendments to the dormer window at the rear.**

### **Description**

The application relates to part of the rear garden of 398 Brandlesholme Road which is on the corner of Brandlesholme Road and Burrs Close. It is a predominantly residential area with two storey semi-detached house along Brandlesholme Road and more recent two storey detached houses fronting Burrs Close. The rectangular site measures approximately 190sqm.

It is proposed to amend the two bed dormer bungalow that is currently being built. The originally approved dwelling measure 10.5m by 5.5m and have a pitched roof to 5.5m with two small dormers on the front and a central dormer on the rear. It would be finished in red brick and tiles to match other properties on the Burrs Close.

The amended bungalow would include a car port/ open fronted garage with accommodation in the roofspace above, extending the width of the building by 3m to 13.2m. Revised plans also indicate a larger Bathroom window on the rear dormer.

The existing timber boundary treatment would not differ from that approved.

### **Relevant Planning History**

55478 - Demolish existing rear conservatory and erect new single storey extension. (Retrospective) - Approved 24/09/2012

56884 - Erection of detached bungalow - Approved with conditions 13/02/2014

14/0493 - Enforcement - Not built in accordance with the approved plans - Application received.

### **Publicity**

The following neighbours notified by letter dated 16/02/2015 and 24/04/15 (revised plan). 1-4 Burrs Close, 1, 2 The Poplars, 394, 396 and 400 Brandlesholme Road.

Objection from the occupiers of 392 and 394 Brandlesholme Road. Concerns are summarised:

- Overlooking and loss of privacy from window in rear dormer.
- The house is overly long and has an adverse impact on the outlook from gardens at the rear.

The objectors have been notified of the Planning Control Committee.

### **Consultations**

**Traffic Section** - No objection.

**Drainage Section** - No comment

## **Unitary Development Plan and Policies**

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN7/5	Waste Water Management
H1/2	Further Housing Development
H2/6	Garden and Backland Development
SPD16	Design and Layout of New Development in Bury
SPD1	Open Space, Sport and Recreation Provision
RT1	Existing Provision for Recreation in the Urban Area
EN1/11	Public Utility Infrastructure
NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

## **Issues and Analysis**

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

**Policy** - The policy issues for this amended house type are the same as with the previously approved plan.

UDP Policy H1/2 - Further Housing Development relates to sites not identified specifically within the UDP. It states that sites should be within an urban area with available infrastructure and be suitable in terms of amenity and surrounding residential land uses. Given the site is within the urban area with available infrastructure, it is considered that the principle of residential development on the site is acceptable subject to other development plan policies.

UDP Policy H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into account the impact of developments on residential amenity, the density and character of the surrounding area, the position and proximity of neighbouring properties and car parking provision.

Policy H2/6 - Garden and Backland Development indicates that proposals which result in the loss of private garden space will need to demonstrate that there would not be a seriously adverse impact on both the character and amenity of the locality and the residential amenity of the neighbours.

**Visual amenity and streetscape** - The revised dwelling would have a larger footprint than previously approved, resulting in the building being closer to the neighbour at 2 Burrs Close. However, the revised proposal would not appear so incongruous as to warrant refusing the application. It would be set back 2.8m from the footway along Burrs Close and would still have adequate garden space around it. The size and position of the new dwelling would not have a seriously adverse impact on the character of visual amenity of the surrounding area and would not be unduly prominent in the streetscape. It would comply with UDP Policy EN1/2 - Townscape and Built Design.

**Residential amenity** - The habitable room windows face towards Burrs Close and the private garden area to the side. The window on the rear, facing the boundary/garden with No.396 Brandlesholme Road, would be obscure glazed bathroom/WC windows with restricted opening to ensure no overlooking. These windows are larger than previously approved but the impact on neighbour amenity would not be significantly greater given the

controls imposed by conditions.

There would be a separation distance of approximately 15m the rear of the new gable and the rear of the applicant's house at 398 Brandlesholme Road and this would comply with the Council's aspect standards.

The proposal would result in the reduction of garden area to 398 Brandlesholme Road, however, the remaining private garden area, which also runs around the side of the house, is considered to be sufficient.

In assessing the scheme against the above policies, it is considered that the proposed dwelling would be acceptable and complies with UDP Policies EN1/2, H2/1, H2/2, H2/6 and other policy and guidance listed.

**Access and Traffic** - Subject to the car port entrance remaining open and the parking space being available for use, it is considered that the proposal would be acceptable in terms of parking and access and would comply with UDP Policy H2/2 The Layout of New Residential Development and guidance within SPD 11 Parking Standards in Bury.

**Servicing** - Refuse bins would be stored on site and collected from Burrs Close. No objection from waste management.

**Objection** - The concerns of the objectors at 392 and 394 Brandlesholme Road have been addressed in the above report.

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

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

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. This decision relates to revised drawings received 12/05/2015 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.
2. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan H2/3Extensions and Alterations and SPD6 - Alterations and Extensions.
3. Within one month the following information shall be submitted to the Local Planning Authority for approval.
  - 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. The car port indicated on the approved plans shall be made available for use prior to the dwellinghouse hereby approved being first occupied. It shall be maintained for the purpose of parking thereafter.

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

6. The vehicular access into the car port shall remain unobstructed and there shall be no gates, doors or other means of enclosure fitted to the front elevation of the car port.

Reason. To prevent obstruction to the highway in the interests of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

7. Details of foul and surface water drainage aspects shall be submitted to the Local Planning Authority for approval within one month of this decision notice. The scheme must include potential SuDS options for a surface water drainage scheme. The approved drainage scheme shall be implemented and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To reduce the risk of local flooding and water pollution by ensuring the provision of a satisfactory means of surface water disposal pursuant to UDP Policy EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.

8. The front garden boundary with Burrs Close shall remain 'open plan' except for the wall/fence along section A to A, indicated on the revised plan received 12/05/15.

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.

9. Before the first occupation of the dwellinghouse hereby permitted, the window on the rear/south east elevation shall be fitted with obscured glazing (min obscurity level 3) which shall be 'restricted opening' at the lower level and shall be permanently retained in that condition thereafter to the satisfaction of the Local Planning Authority.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

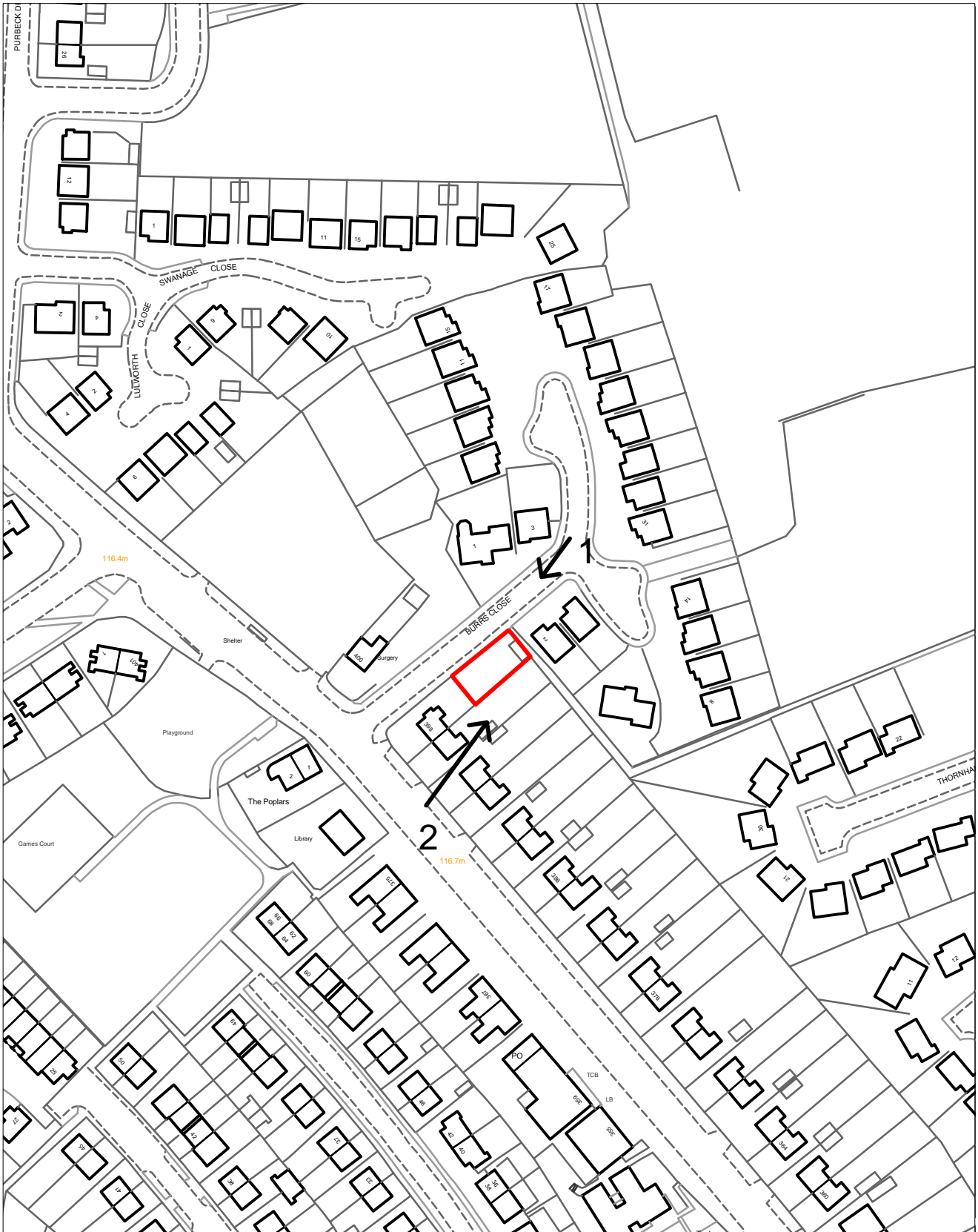


10. No windows, habitable or otherwise, other than those approved, shall be formed on the rear South-east elevation.

Reason: To protect the residential amenities of the occupants of the adjoining properties pursuant to Bury UDP Policy No H2/3-Extensions and Alterations and SPD6-DC Policy Guidance Note 6: Alterations & Extensions

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 58431**

**ADDRESS: 398 Brandlesholme Road  
Bury**



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

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58431

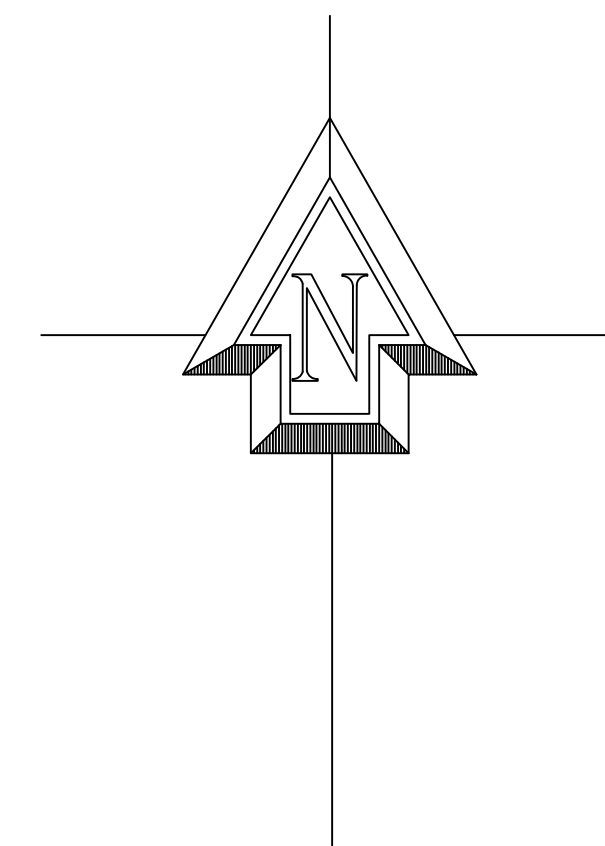
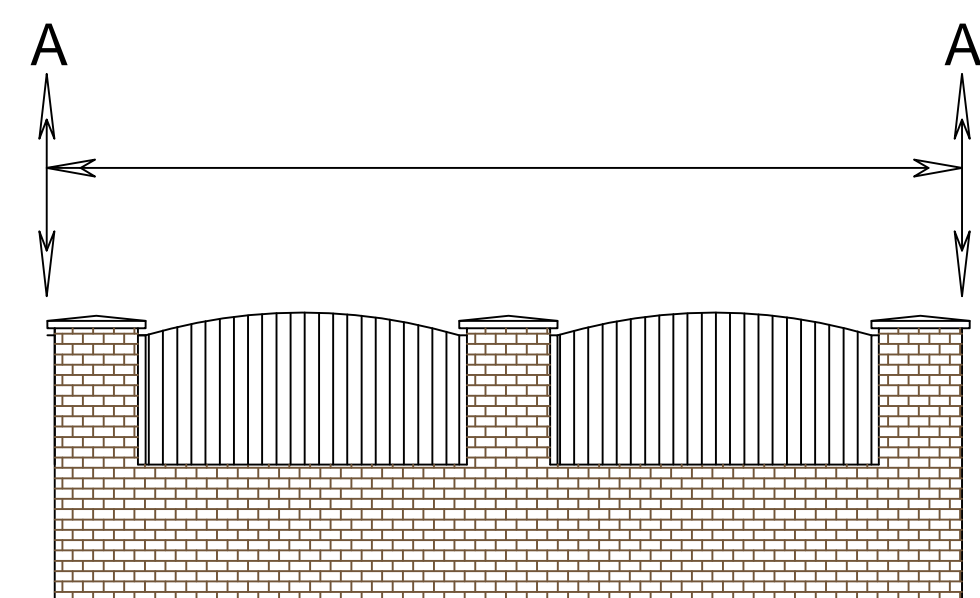
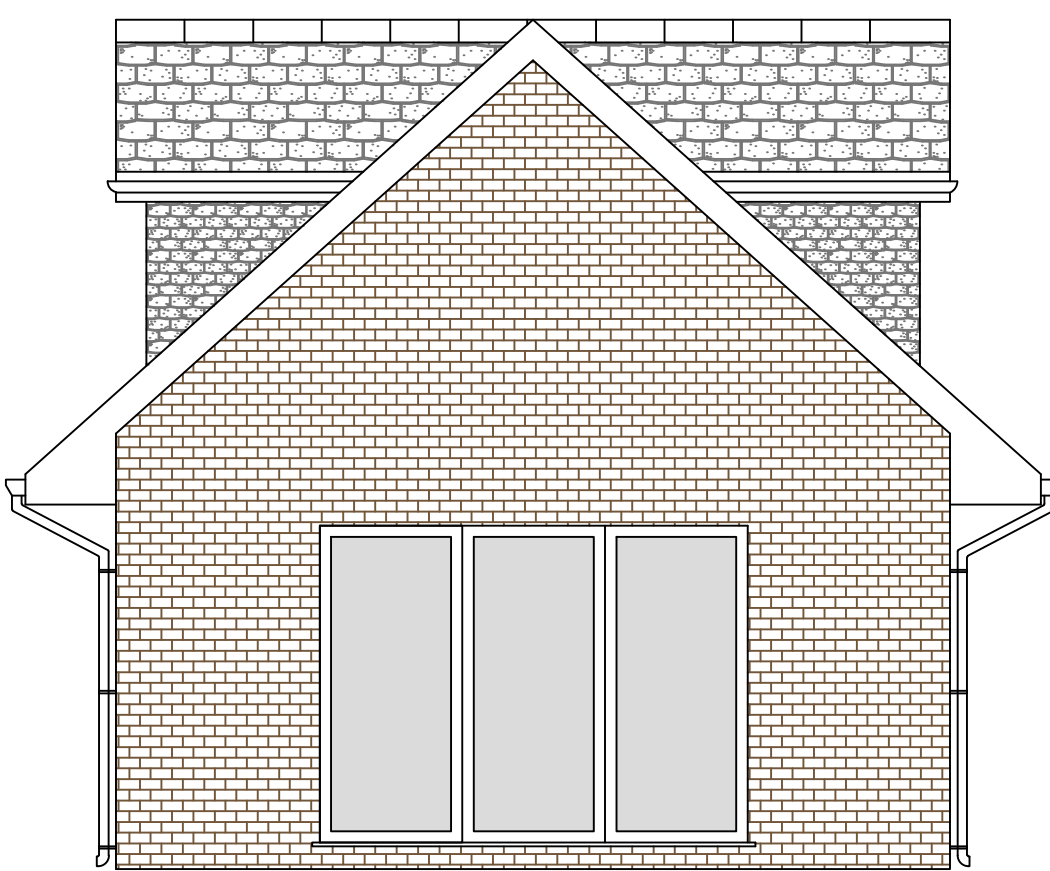
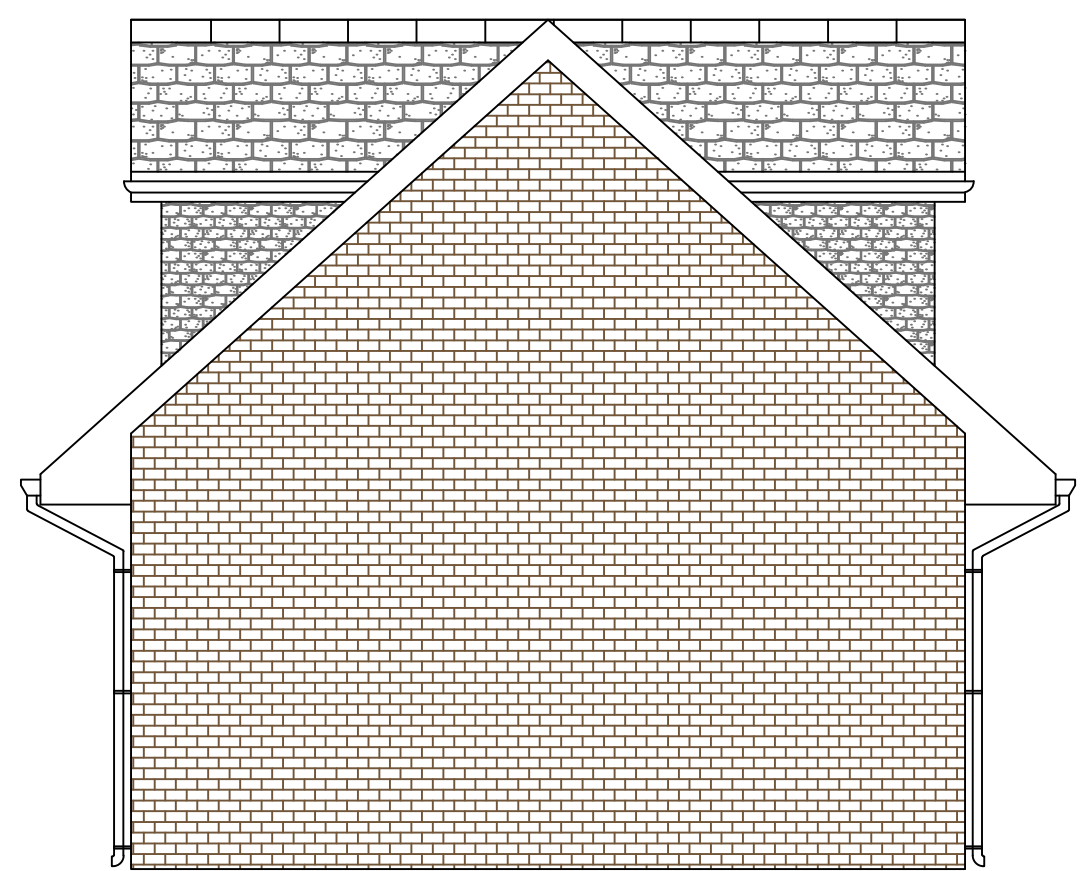
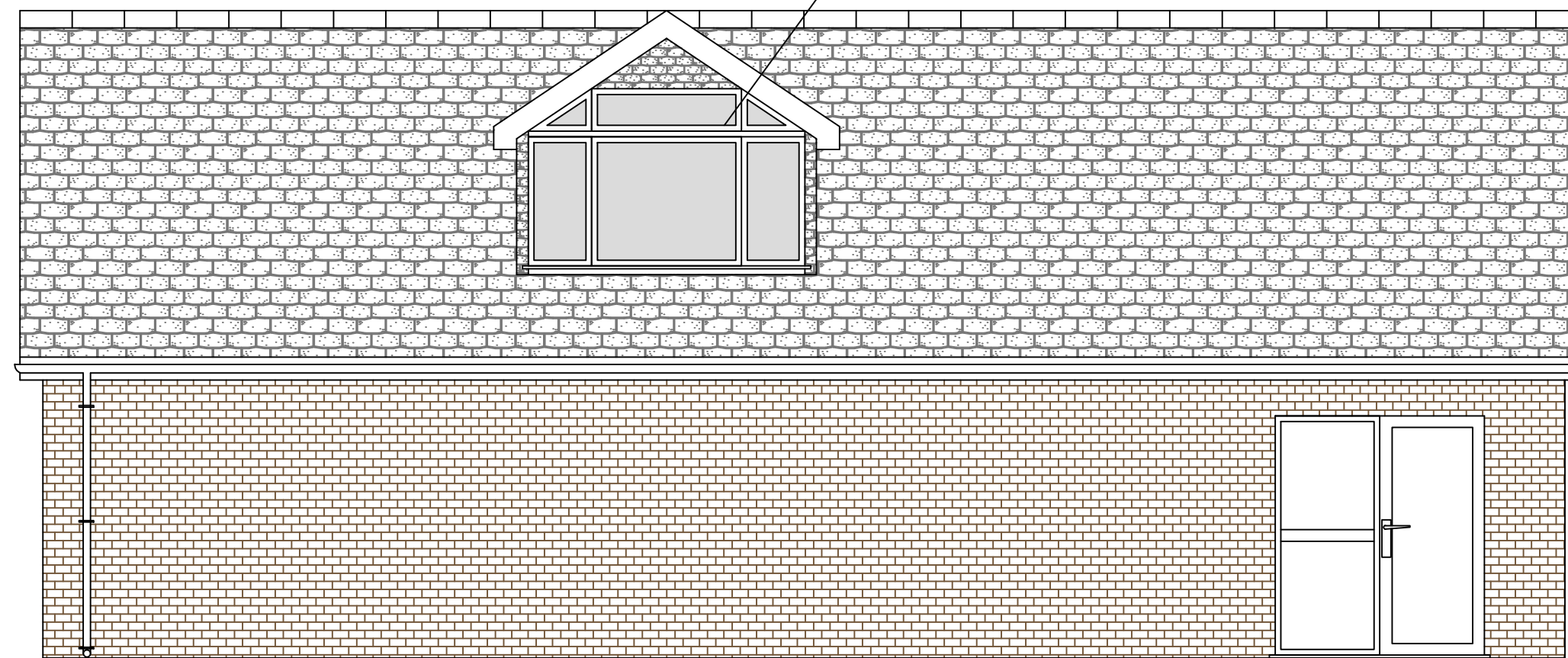
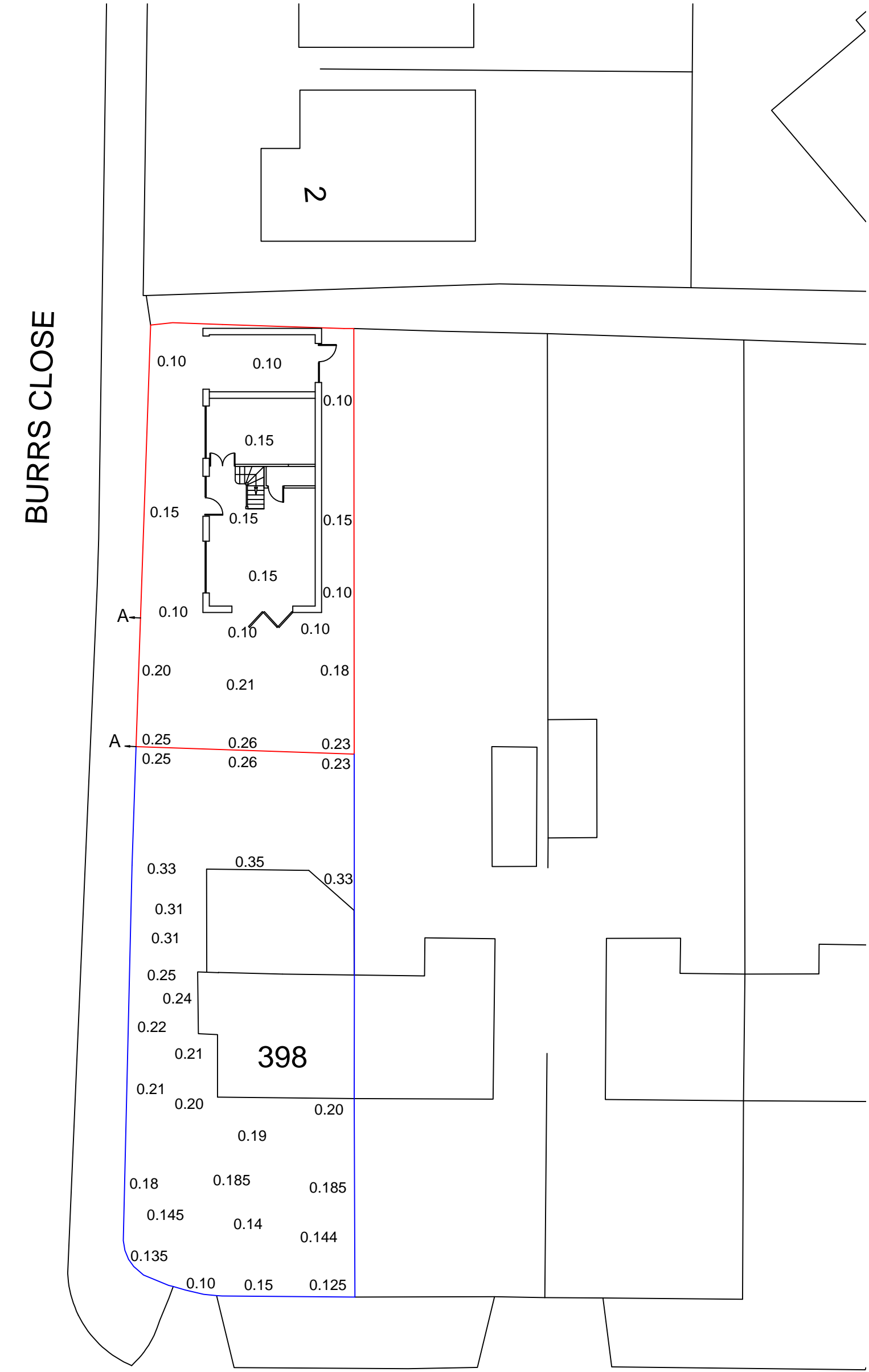
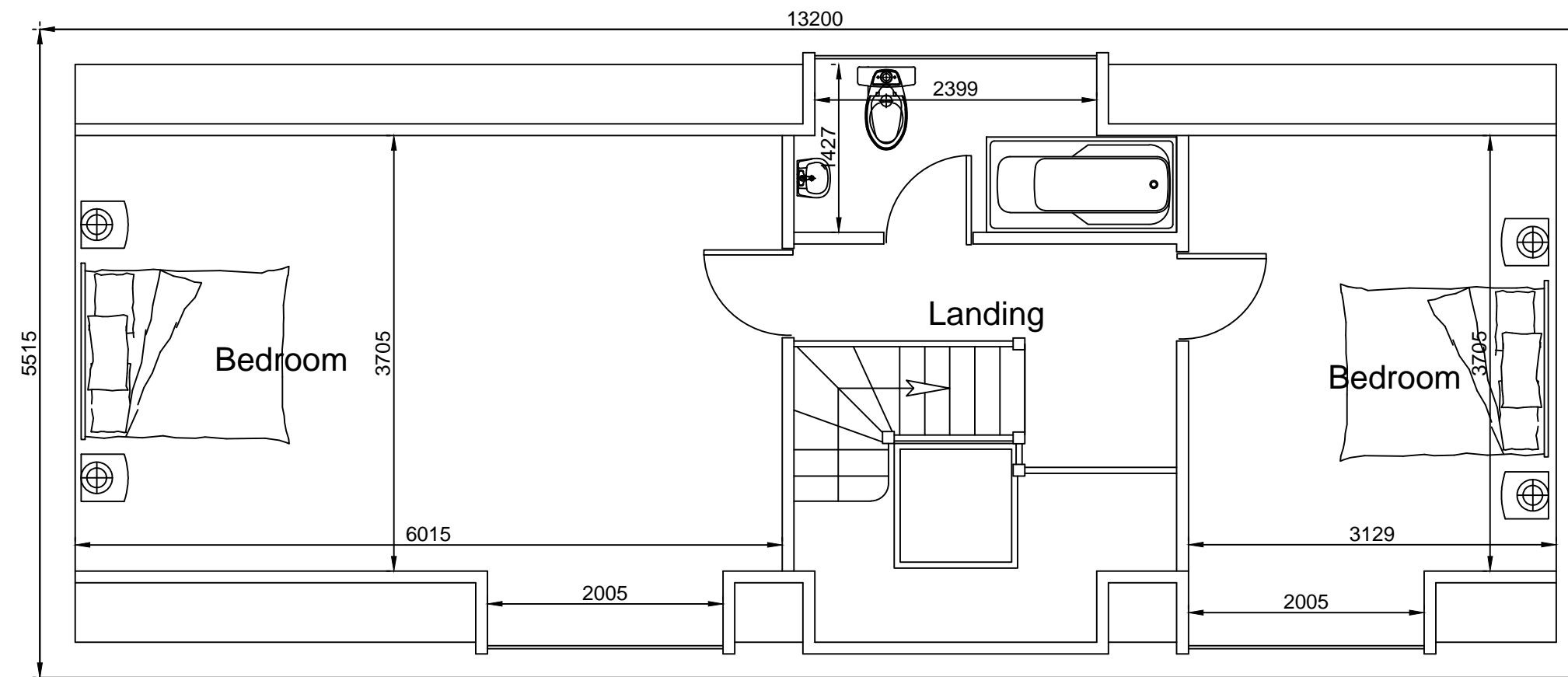
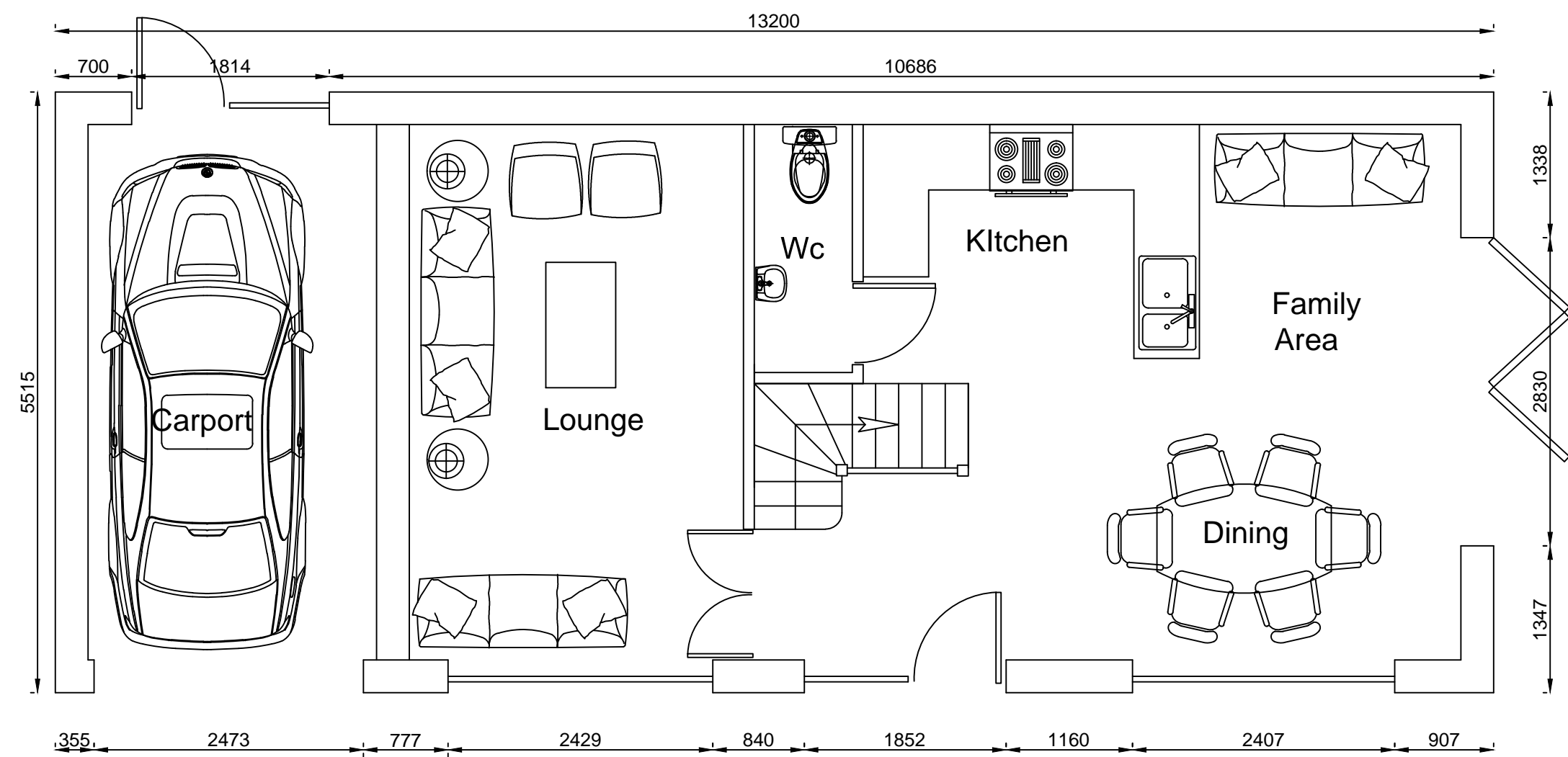
Photo 1



Photo 2







Proposed new dwelling at :	
<b>398 Brandlesholme Road Brandles Holme Bury Manchester BL8 1HJ</b>	
CLIENT:	Mr Anthony Corris
CONTRACT No:	PCE-Corris-February-15
DATE:	8th February 2015
SCALE:	1:50, 1:200 @A1
DWG No:	PCE-Corris-February-15-planning
L.A.:	Bury MBC
AMENDMENTS:	DATE:
<b>PCE DESIGNS</b>	
40 Queensway Euxton Chorley Lancashire PR7 6PW	Tel: 01257233850 Mobile: 07515878823 Email pcedesigns@aol.com

**Ward:** Prestwich - Holyrood

Item 02

**Applicant:** Brookvale Care Home

**Location:** Brookvale Home, Simister Lane, Prestwich, Manchester, M25 2SF

**Proposal:** Installation of a ground mounted solar farm system comprising of 1920 PV modules and associated works

**Application Ref:** 58484/Full

**Target Date:** 27/05/2015

**Recommendation:** Approve with Conditions

**A site visit has been recommended to take place before the Planning Control Committee meeting.**

### **Description**

The application site relates to a field to the north of Brookvale Home, a residential and day care facility which is located on the fringe of Simister Village and within designated Green Belt land. The area to the south and east is characterised by residential dwellings and open land to the west and north, beyond which is the M62 motorway approximately 200m away.

The application seeks the installation of a ground mounted solar farm system comprising of 80 photovoltaic (PV) frames, together with associated works. The frames would sit in rows and each frame would comprise of 24 panels (totalling 1,920 panels) The panels would be located facing south east at an inclination of 25 degrees. The dimensions of each frame would be:

Width - 12.12m

Height from top of the frame to ground - 1.6m

Height from front frame edge to ground - 800mm.

There would be 16 invertors which would be fixed behind the frames and dispersed around the site. Invertors convert the power generated from the panels to be used by the business.

The development would cover an area of land approximately 0.75 hectares.

The speculative annual yield would be approximately 770 kWh which equate to around 4,743 tonnes of carbon dioxide being saved over the term of the tariff. Brookvale would consume between 80-100% of the power generated by the system.

The Design and Access statement states that the proposal would continue Brookvale's commitment to self sufficiency in terms of energy production and use, having previously applied for and been granted permission for 2 wind turbines in 2009 and the installation of solar panels on 2 buildings. The investment in such energy efficient improvements would provide substantial benefits to the care home in terms of self sufficiency.

### **Relevant Planning History**

54418 - Installation of PV solar panels on two buildings within the existing care home facility - Approved 26/10/2011.

51872 - Installation of two wind turbines - Approved 19/11/2009

### **Publicity**

18 letters sent on 27/2/2015 to properties at Nos 145-167 (odds) Simister Lane and 1-4 South View Terrace.

Site notice posted 17/4/2015.

Press advert on 23/4/2015

One letter of objection received from No167A Simister Lane which raises the following issues:

- 80 solar panels represents a significant impact on residential amenity;
- The land is Green Belt and should be protected. Very Special Circumstances must exist and harm clearly outweighed by benefits which has not been met here. Other possibilities (e.g. underground heating) would not impact on visual amenity;
- Not objected to the previous green energy plans for the care home but this large scale proposal will affect the outlook from our property;
- Visible to neighbouring properties, walkers and road users;
- If approved, stringent conditions should be placed on landscaping, with mature established hedgerows such as hawthorn to minimize impact on neighbours.

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

### **Consultations**

**Drainage Section** - No objection.

**Greater Manchester Ecology Unit** - No objection subject to conditions.

### **Unitary Development Plan and Policies**

OL1	Green Belt
EN4/1	Renewable Energy
EN1/2	Townscape and Built Design
EN1/1	Visual Amenity
EN6	Conservation of the Natural Environment
CF3/1	Residential Care Homes and Nursing Homes
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide
OL1/5	Mineral Extraction and Other Development in the Green Belt

### **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 proposed development would represent inappropriate development in the Green Belt as it does not fall within the exceptions listed within Paragraphs 89 and 90 of the NPPF. Where a proposal is inappropriate development, the applicant would be required to demonstrate Very Special Circumstances (VSC). Paragraph 88 states that these would not exist unless the potential harm to the Green Belt by reason of inappropriateness any other harm is clearly outweighed by any other considerations.

Paragraph 91 notes that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development, and that in such cases VSC would need to be demonstrated, which may include the wider benefits associated with the increased production of energy from renewable sources.

The 'Renewable and Low Carbon Energy' section of the National Planning Practice Guidance provides more details of how to assess renewable energy schemes:

- Paragraph 001 outlines the importance of planning for renewable and low carbon energy particularly in reducing greenhouse gas emissions, although Paragraph 003 makes clear that the responsibility to increase the use and supply of green energy does not mean that the need for renewable energy automatically overrides environmental

protections.

- Paragraph 007 lists factors to be aware of when deciding planning applications for renewable energy including cumulative impacts, local topography and protection of local amenity.
- For 'large scale' solar farms, local planning authorities are required under Paragraph 013 to give favourable consideration to proposals that encourage the effective use of land by using previously developed and non-agricultural land, provided it is not of high environmental value.

In respect of visual impact, Paragraph 013 of the section also states that 'The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines' Therefore, despite being prepared in connection with wind energy schemes, the 'Landscape Capacity Study for Wind Energy Developments in the South Pennines' by Julie Martin Associates (January 2010) is relevant to this application as it records sensitivity analysis for landscape character in respect of renewable energy. The study records the landscape type to be Lowland Farmland which has an overall sensitivity of Moderate-Low due to the presence of major infrastructure corridors and other human influences, stating that the area of lowest sensitivity overall is the 'M62/M60 motorway junction'.

UDP Policy OL1/2 - Advises that new development in the Green Belt is inappropriate unless it is for a number of purposes including agriculture, forestry, outdoor recreation and limited extension/alteration of dwellings.

UDP Policy OL1/5 - Mineral Extraction and Other Development in the Green Belt - development is inappropriate unless it maintains the openness and does not conflict with the purposes of including land in the Green Belt. Proposals for other development is inappropriate and by definition harmful to the Green Belt and would only be permitted if it can be demonstrated that there are very special circumstances.

UDP Policy EN4/1 - Renewable Energy will encourage proposals for the provision of renewable energy sources subject to compliance with other policies and proposals of the Plan. In particular, the policy seeks to ensure that proposals:

- Do not involve an unacceptable loss of amenity;
- Would not have an adverse impact on the setting of ancient monuments, Conservation areas, Listed Buildings;
- Would not have an unacceptable adverse impact on areas of Green Belt, Special Landscape Areas and areas of ecological importance;
- Would not result in a health and safety risk or nuisance to the public;
- Where necessary include an environmental assessment;
- Would not have an unacceptable adverse impact on the natural environment.

**Green Belt principle and impact assessment** - The site is in non-agricultural use, is in a low-lying flat location and is not widely visible even from the busy M62 corridor. The large number of panels is concerning when situated in the Green Belt and collectively with the approved wind turbines would cause a degree of harm to the openness of the Green Belt. However, in such a sheltered location it is judged that the visual impact would be minimal from all key viewpoints. The solar panels would stand at a height of less than 2 metres from the ground and whilst the panels could be viewed from the motorway, it is considered that this would be obscured by the proposed hedgerow screening. Additionally, the Highways Agency are currently erecting an acoustic fence adjacent to the motorway which would further screen the site.

GMEU have confirmed that the site is of low ecological value.

The applicant has stated that their case for VSC is as follows:

- Will have multiple benefits for the care home, LPA and surrounding area
- Electricity requirement for care home at substantial levels, track record of investing

- in energy saving / renewable technologies
- Contribution towards a sustainable business (objective of NPPF)
- Save over 4,743 tonnes of CO2
- Reduction in bills by 50%
- 80-100% of power to be used by care home for 40 years, remainder used for hot water
- Care home can run at full capacity to benefit of wider community.

The list above does not appear to be 'very special' when taken individually. However in view of the low level of impact on openness and the proposed screening it is considered cumulatively, that they clearly outweigh the in-principle harm and any other harm caused to the Green Belt and therefore VSC exist. As there is some uncertainty about the longevity of such systems, it is considered that a temporary consent would be appropriate and this would be conditioned accordingly. This approach is supported by the NPPG at Paragraph 013 of 'Renewable and Low Carbon Energy' which states that 'solar farms are normally temporary structures and planning conditions can be used to ensure the installations are removed when no longer in use and the land is restored to its previous use'.

As such, the proposed development is considered to be acceptable and would be in compliance with the principles of the NPPF, NPPG and EN4/1.

### **Residential amenity -**

Visual Impact - The development would cover an area of land 0.75 hectares in size, and as a consequence would result in noticeable changes to the landscape of the area. The applicant has submitted a Landscape Appraisal which evaluates the potential visual impacts on residential amenity of the installation of the receptors.

The nearest dwellings would be located to the south of the site along Simister Lane, the closest being approximately 185m away. The development would be situated on a flat area of land with the intervening area of land between the site and the houses relatively flat also. The height of the proposed receptors would not exceed 2m and the site area would be afforded some screening from views from the south by parts of the Brookvale buildings, existing trees and hedgerows. As such, it is considered that the proposed development would not be significantly intrusive to the outlook from the houses on Simister Lane and impact considered to be moderate.

The other residential property which would have long range views of the site would be Lower Douglas Farm, which is located to the west. This would be more than 300m from the development and again, given the low level nature of the scheme and the intervening vegetation and hedgerows, it is considered that there would not be a significant impact on views from this direction.

In terms of views from the motorway to the north, motorists travelling south west would be travelling at some speed and it is likely that views of the site would be fleeting, as well as being screened by the acoustic fence and proposed planting. Beyond the motorway, residential properties are sparsely scattered, with views of the site more likely from the public footpaths which run to the west and north, and where the route rises to cross the M62 via a bridge. These paths would be more than 250m away at the closest point (to the east) and over 500m away to the north. Although the land is undulating in the surrounding area, parts of the site would be screened by the existing natural vegetation and the hedgerows which are proposed around the periphery of the site area. Views would be long range and as the receptors would no more than 2m in height, it is considered that impact on outlook and amenity of local residents, walkers and motorists would not be significant.

In terms of assessing the impact on the amenity of the occupiers of Brookvale, the site would be directly to the north of the Atrium building and gardens approximately 70m away and the solar panels would be visible from these areas. However, at ground floor level, the development would be partly screened by the proposed hedgerow and outlook considered not to be unduly affected. From the first floor of the building the site would be clearly



apparent. This part of the site already accommodates two wind turbines which are visible from Brookvale and whilst the solar panels would significantly change the landscape of this area for a temporary period, being at a low level and contained within a specific boundary area, together with the energy and cost savings to the care home, on balance it is considered that the benefits would outweigh any harm to the outlook of residents.

In light of the proposed landscaping treatments and the distance away of the development site in relation to the surrounding residential properties, it is considered that the proposal would be acceptable and comply with the NPPF, NPPG and UDP Policies OL1/5 and EN1/4.

Light reflecting glare - The Landscape Appraisal states that in terms of glare, this would only be for short periods of time as the sun's position moves during the day, and as such potential effects would not be significant. The applicant has been asked to expand on this and provided the following additional information to support this statement.

In effect, solar panels are built to absorb 98% of sunlight and reflecting light is contrary to their purpose. The panels are built to minimise the amount of light which is not absorbed and therefore only rarely would a small amount of light be reflected off the modules. The extent of any glare which would be reflected would be low in any case, as it would be dependant on the sun reflecting at specific angles. As the intensity and exact angle of the sun changes daily, evidence from other solar panel farm systems suggests that there would not be a material impact upon residential amenity.

Given the positioning of the solar panels, the only property which may receive occasional glare would be to the care home itself. As this would be sporadic, and only for short periods of time during a day and at certain times of the year, the benefits of the proposed development are considered to outweigh the relatively insignificant impact which would be created from glare.

As such, it is considered that the proposal would not be severely detrimental to occupiers of the care home or other residential properties in the vicinity and as such would comply with the NPPF and UDP Policy 4/1.

**Wildlife** - An Ecological Appraisal has been submitted in support of the application which concludes that the site is of low ecological value and there would be a negligible risk to any protected species being impacted upon by the developer. GMEU is satisfied with the report and require no further information.

The only likely ecological constraint would be nesting birds and this would be low due to the lack of trees and shrubs on site. However, it is noted that although the applicant intends to plant hedgerows to replace some of the boundary fencing, which would result in an ecological net gain, there are no details of this within the application. A condition has therefore been recommended that such details are provided prior to development.

As such, it can be concluded that there would not be any negative ecological implications as a result of the development and the proposal would comply with UDP Policies EN1/1 - Visual Amenity and EN6/3 - Features of Ecological Value.

**Response to objectors** - The objections raised have been covered in the above report.

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

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

the National Planning Policy Framework.

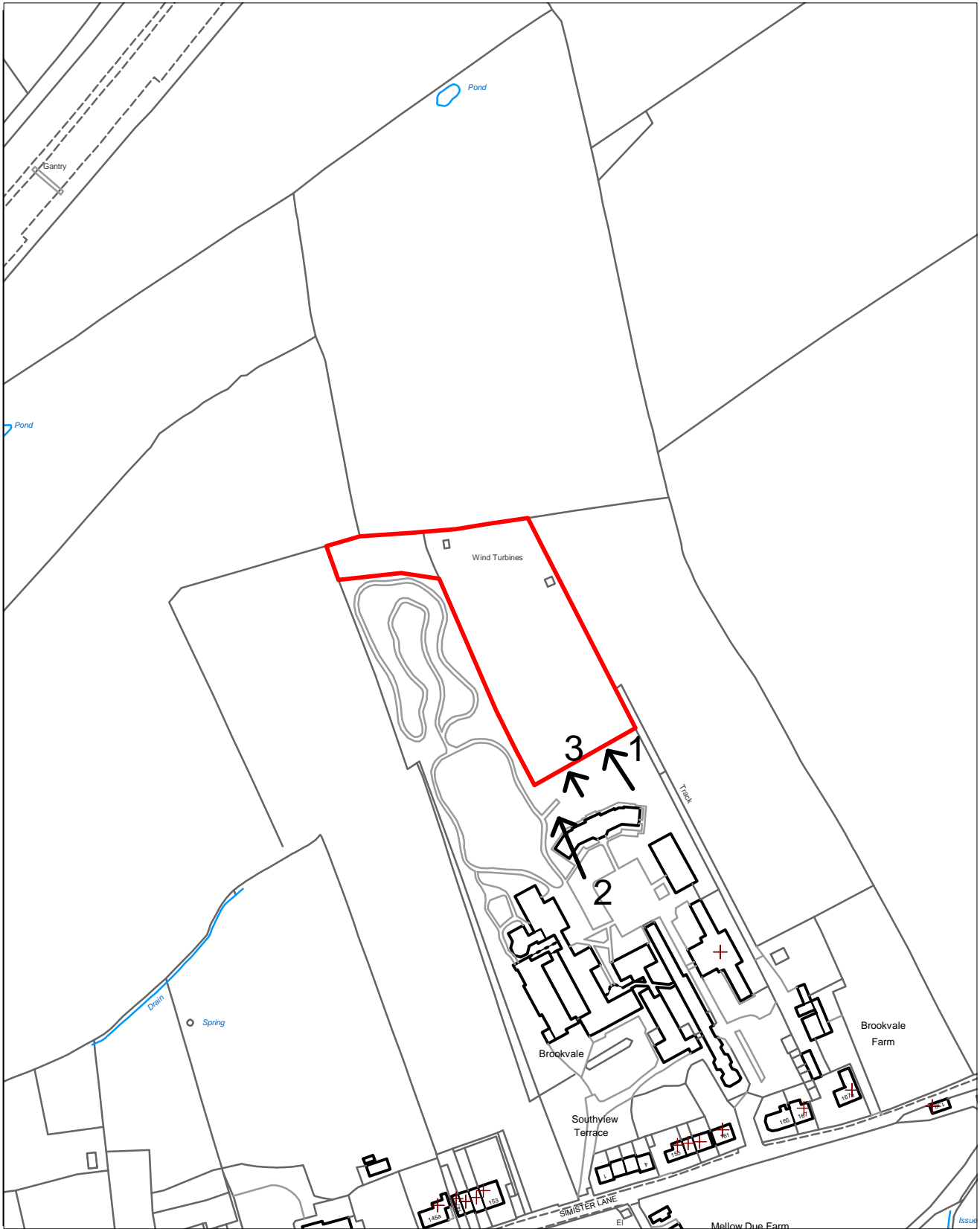
**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The permission hereby granted is for a limited period only, namely for a period of 25 years from the date of this decision, and the structures, solar panels, associated equipment and use comprising the development for which permission is hereby granted is required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition within 3 months.  
Reason. The development is of a temporary nature only, pursuant to the NPPF, NPPG and Bury Unitary Development Plan Policy EN4/1 - Renewable Energy.
2. This decision relates to drawings numbered Site location plan 16830002/1; Proposed PV Array WEL833 Revision B; Photograph montage numbered -523A:-01-02-03-04-05-06-07-08-09-10-11-12 dated 15/12/14; Planning Statement February 2014; Landscape Appraisal by Randall Thorp February 2015; Ecological Appraisal Ref 2512 report version 1; Waxman Energy specification; SolarMax HT series specification ;Schletter Ground Mounted Systems specification and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until a landscape and ecological enhancement plan has been submitted to and approved by the Local Planning Authority. The plan will include details of new hedgerow planting and grassland re seeding and a timetable for implementation. The approved plan only shall be implemented in accordance with the approved details.  
Reason. To ensure appropriate and acceptable levels of landscaping of the site is carried out in the interests of visual amenity and ecological enhancement in accordance with the NPPF and Unitary Development Plan Policies EN1/1 - Visual Amenity and EN6/3 - Features of Ecological Value.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 58484**

**ADDRESS: Brookvale Home  
Simister Lane  
Prestwich**

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



**Bury**  
COUNCIL

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**PLANNING APPLICATION LOCATION PLAN**

**APP. NO 58484**

**ADDRESS: Brookvale Home  
Simister Lane, Prestwich**

**Environmental and Development Services**



**1:1250**

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58484

Photo 1



Photo 2



58484

Photo 3

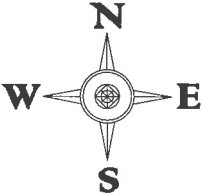
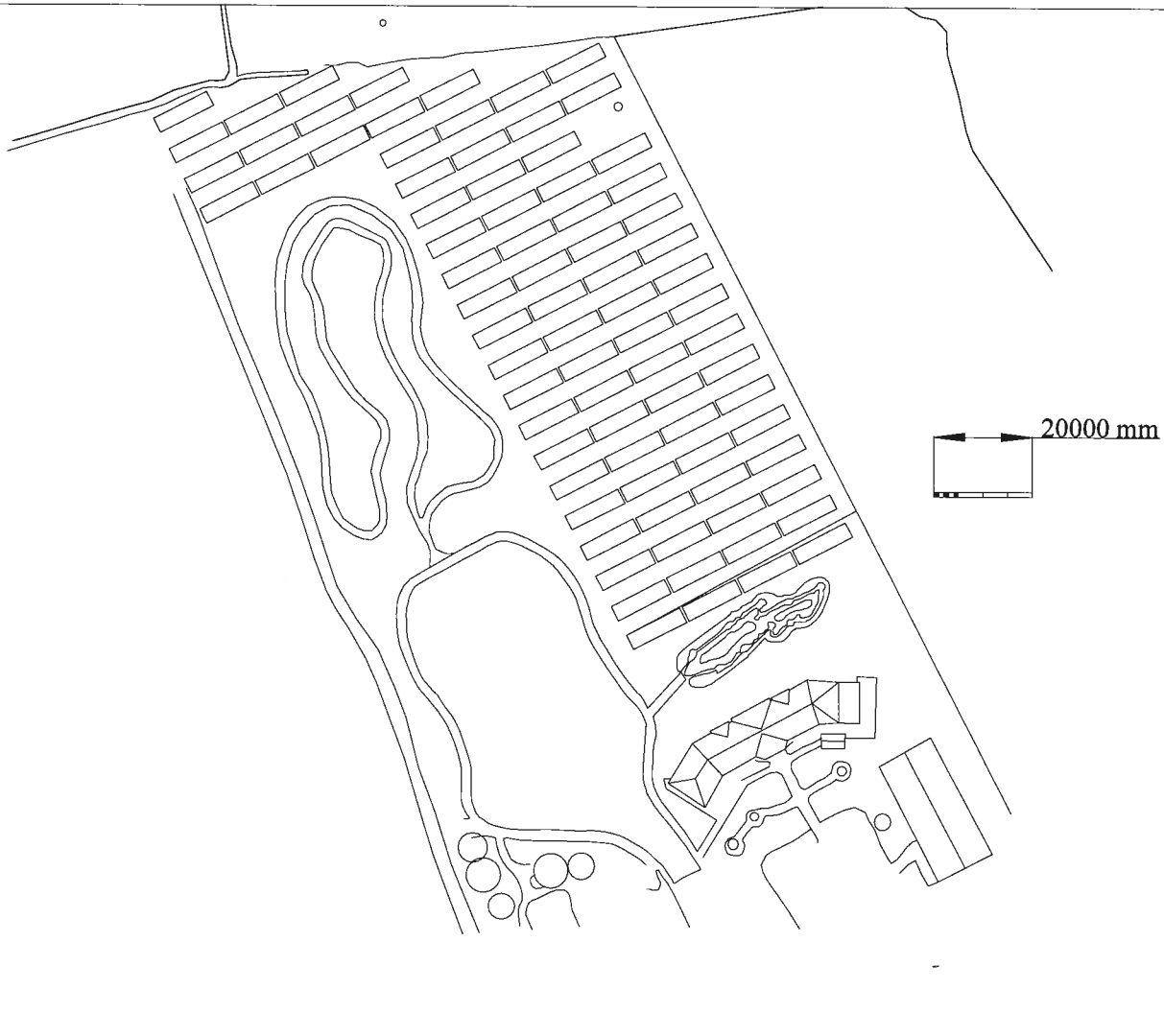




*Professional Solar Mounting Systems  
Ground Mount Systems*

**SCHLETTER**





REV	DESCRIPTION OF REVISIONS	DATE	DRAWN BY	APPROVED
<p>Waxman Energy Limited accepts no responsibility or liability for, and gives no representation or warranty as to, the accuracy, reliability or completeness of drawings or images which are provided for illustration purposes only. It is recommended that all dimensions and other assumptions or variables should be verified prior to ordering.</p>				



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 Elland Lane  
 Elland  
 West Yorkshire  
 HX5 9DZ

Drawn By: Johanna Elvidge		Checked By:		Technology: Jinko JKM260P x 1920 to give 499.2kWp	
Project Number: WEL833		Rev: B		Title: Brookvale Proposed PV Array	
Scale	1:1000@A3	Date	26/01/2015	Sheet	1 of 1



**Applicant:** Mr K Gardner

**Location:** Land to the rear of 60 Sandy Lane, The Downs, Prestwich, Manchester, M25 9NB

**Proposal:** Erection of 1 no. dwelling with integral garage (revised layout)

**Application Ref:** 58503/Full

**Target Date:** 28/04/2015

**Recommendation:** Approve with Conditions

### **Description**

The site originally formed part of the garden to No. 60 Sandy Lane. Since planning permission was obtained in December 2012 for a dwelling, the site has been sold as a separate plot. The site is located on a steep slope and there are a series of stepped levels with flagged access steps linking them.

A brick wall and hedge marks the boundary to The Downs and there are two parking spaces provided at the front of the dwelling (The Downs).

There are residential properties to all boundaries. No. 1 The Downs is located to the north east of the site and is 2.3 metres higher than the application site. The properties fronting onto Sandy Lane are located to the south and are 2.5 metres lower than the application site.

The proposed development involves the erection of a 4 bedroom dwelling, including an integral garage. The proposed dwelling would be two storeys in height with a pitched roof and would be constructed from red brick with a tile roof. The proposed dwelling would measure 8.2 metres by 6.2 metres and would be 4.15 metres to the eaves and 7.35 metres to the ridge. Retaining walls would be constructed along the northern and southern boundaries. Vehicular access would be taken from The Downs and 2 parking spaces would be provided.

### **Relevant Planning History**

40616 - Single storey extension at rear and two storey extension at side at 60 Sandy Lane, Prestwich. Approved with conditions - 29 May 2003.

54804 - Erection of 1 no. dwelling with detached garage at land to rear of 60 Sandy Lane, The Downs, Prestwich. Approved with conditions - 21 December 2012

### **Publicity**

16 neighbouring properties (1, 2, 16, 52, Sandy Lane, 1 The Downs) were notified by means of a letter on 6 March 2015.

Two letters have been received from the occupiers of 60 and 62 Sandy Lane, which have raised the following issues:

- The change of house type, house size & its location within the plot is a major change from the original outline planning permission & the effect upon our dwelling is a substantial change
- How will the waste water be got to the public sewage system, given the site levels & the fact that the dwelling cannot be raised above the existing levels.
- How will the vehicle access be achieved at such an obtuse angle to the road?
- How will the residents transport their 4 number refuse bins up a steep incline?
- With the retention of the line of trees associated with No 60 Sandy Lane the rear rooms will not receive any daylight .
- The approved permission allowed the building of a bungalow, which is in keeping with the properties on The Downs.

- Object to the plan for a two storey dwelling. Nos 60 & 62 Sandy Lane would be overshadowed by a 40 ft high brick wall.
- The plans are a new house, which is of a size and style that would not be in keeping with the existing properties on The Downs, which are all bungalows.
- The proposed dwelling would dominate the neighbourhood and would look out of place.

Revised plans were received on 29 April 2015 and the neighbouring properties were notified by means of a letter on 5 May 2015.

Two letters have been received from the occupiers of 60 Sandy Lane, which have raised the following issues:

- Object to the height of the proposed dwelling. It would be the equivalent of a four storey building and would dominate the skyline and overshadow the neighbouring properties.
- Every property on The Downs is a bungalow and surprised by the lack of objections from the residents of The Downs.
- The description of the proposal should have been more appropriate.
- The proposed development would have a more substantial impact than the original plans.
- Please take all previous comments into consideration when making the decision.

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

### **Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to driveway length and visibility splays.

**Drainage Section** - Comments awaited.

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

**United Utilities** - Comments awaited.

### **Unitary Development Plan and Policies**

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

### **Issues and Analysis**

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

**Principle** - Following revocation of the North West Regional Strategy on 20 May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

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

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

Policy H2/6 states that the Council will not permit the loss of private gardens for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

The site benefits from an extant planning permission for the erection of 1 dwelling. As such, the principle of residential development is established. Therefore, the proposed development would be in accordance with Policies H1/2 and H2/6 of the Bury Unitary Development Plan.

**Design and layout** - The proposed development would involve the erection of a two storey dwelling and the first floor would be located within the roof space. The proposed dwelling would be located between two storey properties with a pitched roof on Sandy Lane and the bungalows (some with dormer extensions) on The Downs. As such, the proposed dwelling would be two storeys with the first floor located within the roofspace and therefore, it is considered it would be appropriate in terms of height, scale and massing. The proposed dwelling would be constructed from red brick with a tile roof, which would match the surrounding dwellings. Therefore, the proposed development would not be a prominent feature within the streetscene and would be in accordance with Policies EN1/2, H2/6 and H2/1 and H2/2 of the Bury Unitary Development Plan.

The proposed dwelling would have a side and rear garden and would have an acceptable level of amenity space. There would be space within the rear or side garden for bin storage. The proposed boundary treatment would be retaining walls with timber fencing and a hedge, which would be appropriate within and match the residential area. Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

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

The proposed dwelling would be at a higher level than the dwellings on Sandy Lane. The finished floor level of the proposed dwelling would be one storey above the finished floor level for No. 60 Sandy Lane. As such, the aspect standard between the rear of No. 60 Sandy Lane and the blank gable wall of the proposed dwelling should be at least 16 metres.

There would be 17.8 metres between the blank gable of the proposed dwelling and the rear elevation of No. 60 Sandy Lane, which would be 1.8 metres in excess of the aspect standard.

There would be 20.1 metres between the front elevation of the proposed dwelling and the gable of No. 16 The Downs, which would be in excess of the aspect standard.

No. 1 The Downs is 3.6 metres higher than the site and the only opening in the north eastern elevation would be a rooflight over an en-suite, which would be obscure glazed. As such, the proposed development would not have an adverse impact upon the amenity of the occupiers of No.1 The Downs.

Therefore, the proposed development would comply with the aspect standards set out in SPD6 and would not have an adverse impact upon the amenity of the neighbouring properties.

**Highway issues** - The proposed development would be accessed from The Downs and the revised plan has included details of visibility splays, which would be acceptable. The Traffic Section has no objections, subject to the inclusion of conditions relating to the length of the driveway and visibility splays. Therefore, the proposed development would not be detrimental to road safety and would be in accordance with Policy H2/1 and H2/2 of the Bury Unitary Development Plan.

### **Parking**

SPD11 states that the maximum parking standards should be 3 spaces for a 4 bed dwelling.

The proposed development would provide a garage and 2 parking spaces. The proposed development would have good access to public transport and there would be space on The Downs for on-street parking if required. As such, the level of car parking would be acceptable in this case. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

**Response to objectors** - The issues relating to vehicle access, the design, including the height, of the proposed dwelling, the impact of the proposed development upon the neighbouring properties, including the difference in levels, have been assessed in the report above.

The description of the proposal is accurate and reflects the development proposed.

The proposed dwelling may be larger than the one previously approved. However, the proposed development can be accommodated within the site, while satisfying the relevant aspect standards and parking standards.

### **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 Location plan, 2278/01 Rev A, 2278/02 Rev B, 2278/03 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development

is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

4. No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

5. Following the provisions of Condition 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.

6. The finished floor levels for the dwelling hereby approved shall be 99.50.
- Reason. To protect the privacy of the adjoining occupiers pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

7. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
- Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

10. No development shall commence unless or until full details of all the retaining structures on site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the dwelling hereby approved.
- Reason. In the interests of visual amenity and to ensure the development is structurally sound pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

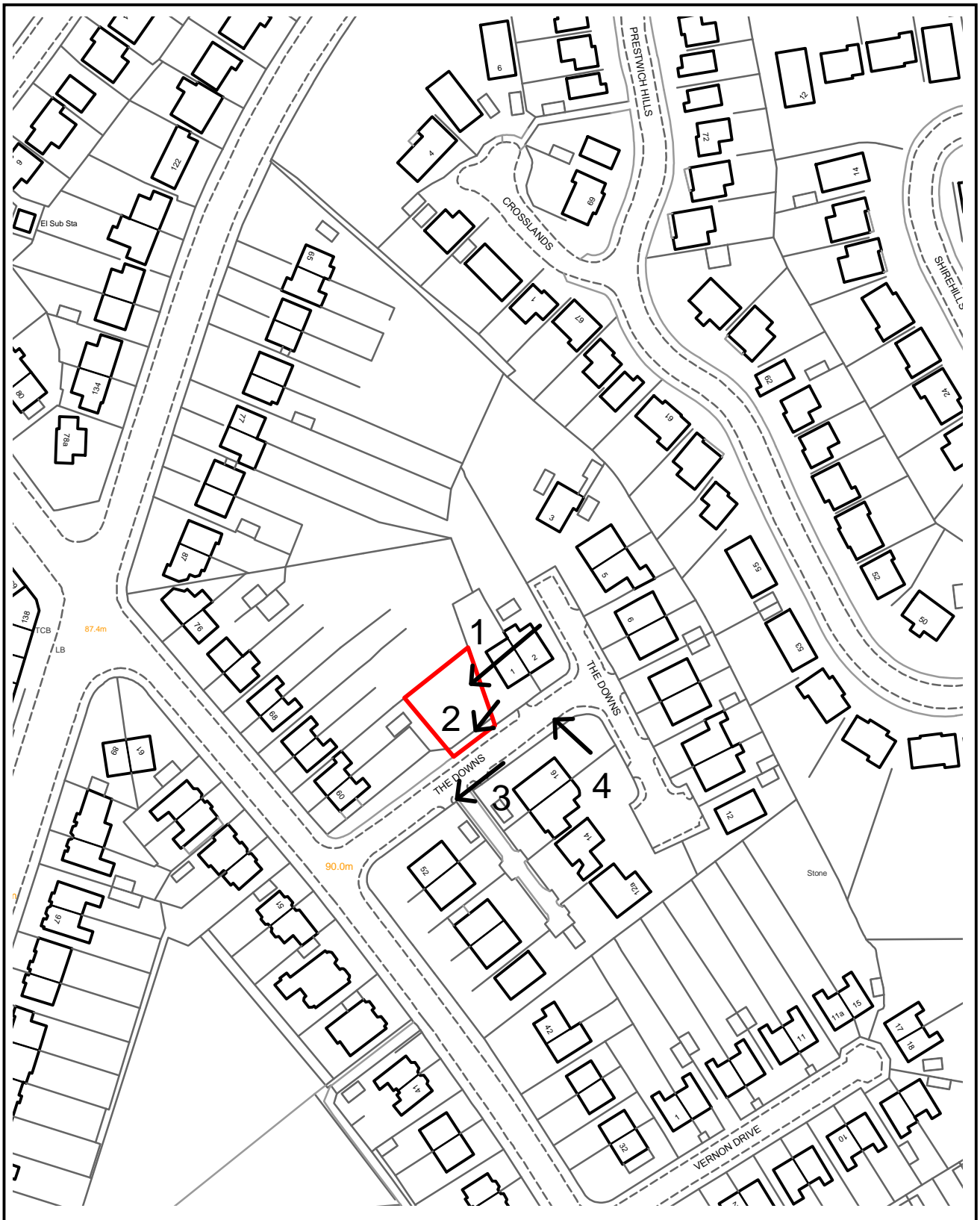
11. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided prior to occupation of the dwelling hereby approved and thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

12. The visibility splays indicated on approved plan reference 2278/02 Rev B shall be implemented before the dwelling is first occupied 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 Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 58503**

**ADDRESS:** Land to the rear of 60 Sandy Lane  
The Downs  
Prestwich

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

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58589

Photo 1



Photo 2





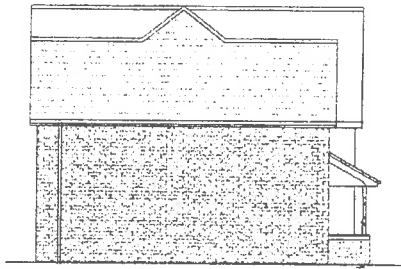
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Photo 3



Photo 4

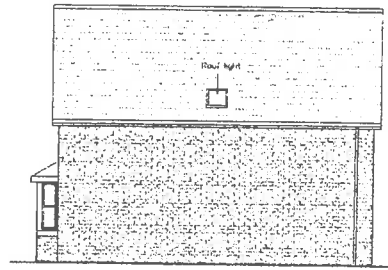




Side

Roof tiles to be  
Marley Eternit Ashmore  
Old English Dark Red  
as sample

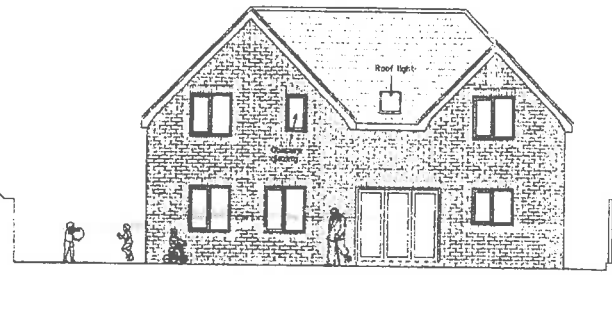
Facing brick to be  
Desimpal Hathaway  
Brindied as sample



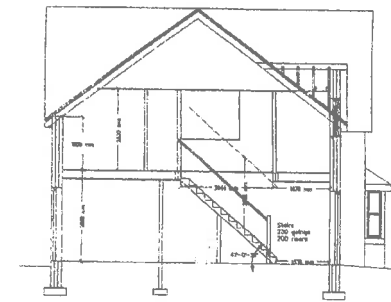
Side



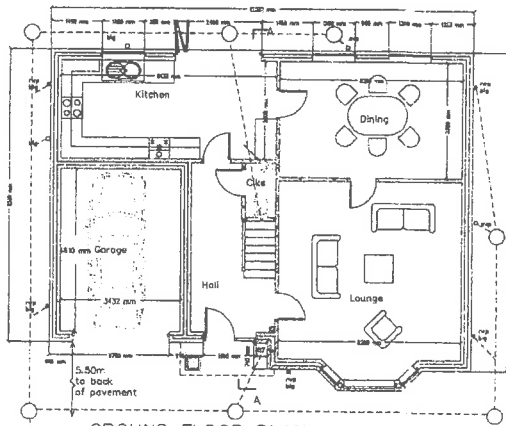
Front



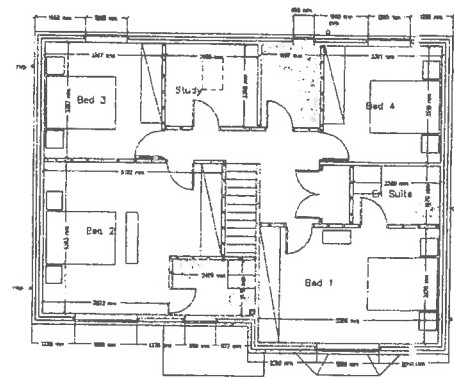
Rear



SECTION A - A



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Amendment # April 2015  
Roof design and elevations re-planned  
Door and window positions amended accordingly  
Section altered to suit new roof slope

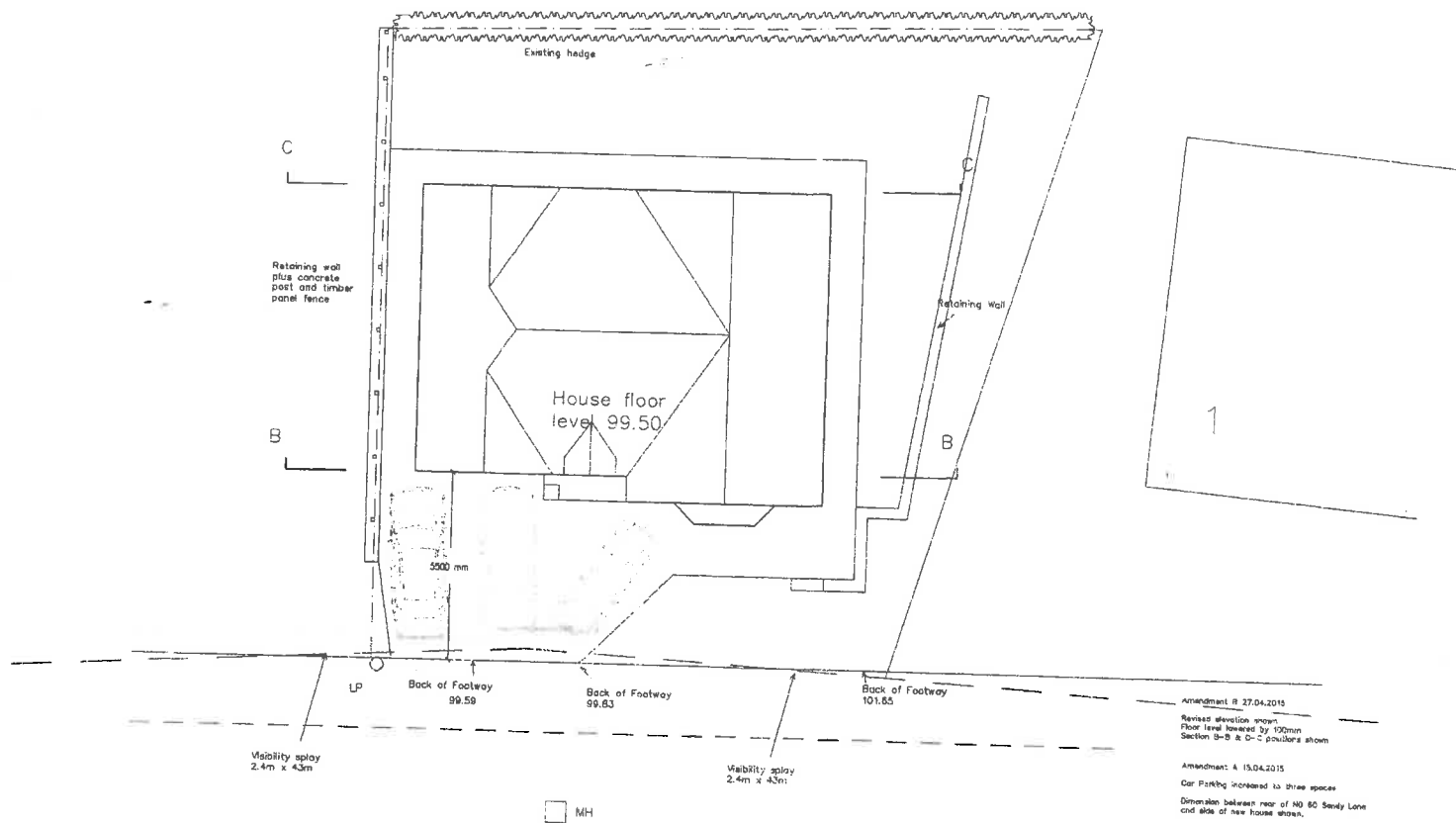


REVISED HOUSE TYPE  
LAND AT THE DOWNS PRESTON

MR K. GARDNER

227B / 01 - A  
Scale 1:100

14 0176 0100



Amendment B 27.04.2015  
 Revised elevation shown  
 Floor level lowered by 100mm  
 Section B-B & C-C profiles shown

Amendment A 15.04.2015  
 Car Parking increased to three spaces  
 Dimension between rear of NO 60 Sandy Lane  
 and side of new house shown.



**BROADFIELD**  
 ASSOCIATES

ARCHITECTS  
 DEVELOPERS/INTERIORS/EXTERIORS  
 INTERIOR DESIGNERS

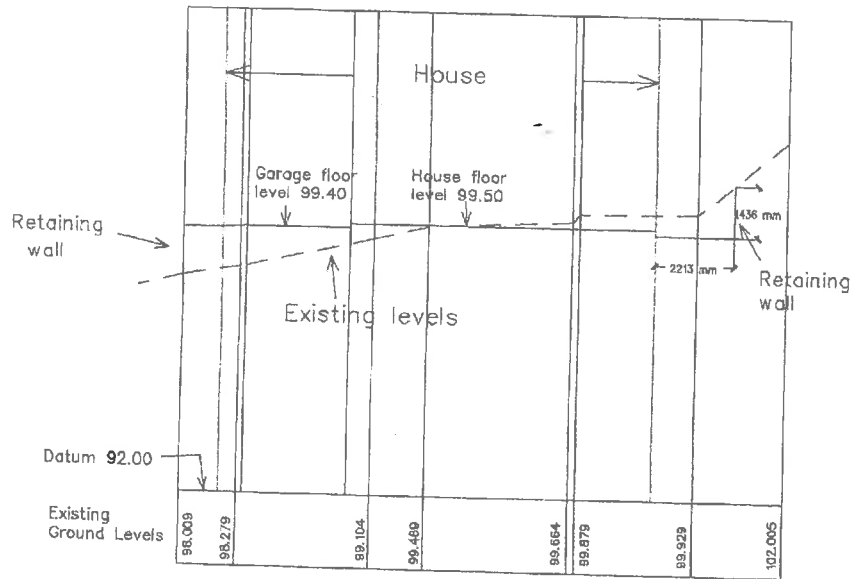
REVISED HOUSE TYPE  
 LAND AT THE DOWNS PRESTONCH

PROPOSED LAYOUT PLAN  
 AND STREET ELEVATION

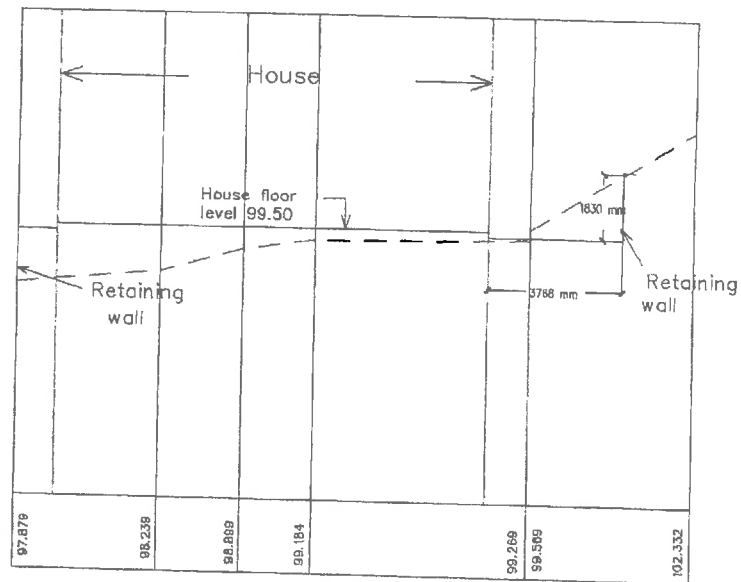
Mr X Oardine

2276 / 02 - B  
 March 2015 scale 1:100

1-11 BROADFIELD ASSOCIATES LTD  
 14, 16 BARNLEY ROAD  
 RUST LINDSAY  
 LEICESTERShire



Section B - B  
at front of garage



Section C - C  
In line with back wall of house

**BROADFIELD**  
ASSOCIATES

STRUCTURES  
DEVELOPMENT/CONSULTANTS  
ESTIMATED SERVICES

REVERED HOUSE TYPE  
LAND AT THE DORING PRESTONCH

SECTION B - B & C - C

MR K GARDNER

2270 / 03

Apr 2015 1:20

BROADFIELD ASSOCIATES LTD  
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

**Ward:** Radcliffe - North

Item 04

**Applicant:** Mr Darren Jones

**Location:** Moorgate Cottage, 4 Radcliffe Moor Road, Radcliffe, Manchester, M26 3WL

**Proposal:** Retrospective application for change of use of ground floor room in residential dwelling (Class C3) to hairdressers (Class A1)

**Application Ref:** 58535/Full

**Target Date:** 16/06/2015

**Recommendation:** Approve with Conditions

### **Description**

The site is a ground floor room within a detached house which fronts Radcliffe Moor Road. The property has been extended single storey at the front, which forms a garage and a room that is currently being used as a hair salon. To the front is a paved area and parking for 4 cars.

There is open land to the west side and a restaurant to the east. Opposite across the road is a public house and further along to the west a residential estate.

The application is retrospective for a change of use of the ground floor room (which forms part of the garage extension) to a hair dressing salon (Use Class A1).

The application states the hours of operation are not set but the salon is opened in accordance with staff availability and customer demand. This is usually Thursday, Friday and Saturday. The applicant has provided an estimate of proposed hours which range between 09.30 - 20.00hrs.

The business is operated by the wife of the applicant and there are two self employed part time staff who each work 10 to 16 hours per week. One is an additional hairdresser the other a nail/beauty technician.

A supporting statement by the applicant confirms the two staff live within walking distance and do not drive to the property. Parking to the front of the property by clients is discouraged as there is a 40mph speed limit and the applicant has agreed with the landlady of the public house opposite that clients may use the car park.

### **Relevant Planning History**

46961 - Two storey extension at side; garage extension at side and conservatory at rear; 1st floor balcony at rear - AC 07/11/2006  
48455 - Double garage extension at side (revised scheme) - AC 29/08/2007  
50753 - Boundary wall with gates at front - AC 31/12/2008  
58543 - Retention of 3 no. non-illuminated fascia signs and 1 no. non-illuminated entrance sign - Pending.

### **Publicity**

Notification letters were sent to The Curry Cottage and The Sparking Clog, Radcliffe Moor Road on 21/04/15.

A site notice was posted on 27/04/15.

One response has been received by email from a resident but who does not give an address. Their concerns in summary are:-

- Adjacent the property is a hatched area that leads to a right turn only into Montgomery Way. Vehicles therefore parked on the roadway outside the property will necessitate passing vehicles to enter the hatched area when overtaking.
- Vehicles overtaking parked cars may not see the slow sign.

- The roadway is 40mph which requires vehicles to be parked during hours of darkness to have parking lights on, this has not always been adhered to.
- The property is opposite a bus stop which may mean passing traffic further having to negotiate parked vehicles and stationary buses and vehicles entering Montgomery Way.
- Vehicles have been observed parked on the pavement outside the property which may be a hindrance or hazard to pedestrians.
- Many vehicles exceed the 40mph speed limit and use this section of the roadway as a drag strip.
- This particular section of roadway is a hazardous area and safety will further be exacerbated by vehicles parked outside the property.
- Suggest the maximum road speed be reduced to 30mph.
- Attach photos of taken at lunchtime which demonstrates the hazard created by parking outside the property.

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

### **Consultations**

**Traffic Section** - Request clarification of the on site parking arrangements.

### **Unitary Development Plan and Policies**

EC4/1	Small Businesses
EN7/2	Noise Pollution
S1/5	Neighbourhood Centres and Local Shops
H3/1	Assessing Non-Conforming Uses
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

### **Issues and Analysis**

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

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

The site is immediately adjacent to an identified neighbourhood shopping centre with the commercial premises directly adjacent to the north and east included. These sites are subject to UDP Policy S1/5 which seek to retain retailing (Class A1) as the predominant use in small neighbourhood centres, to primarily cater for the day to day needs of residents and businesses.

The property is only just located outside the neighbourhood shopping centre and would cater for the needs of the local residents and the centre, being easily accessible and conveniently located. The scale and the location of the business is such that it would not conflict with the surrounding area, and as such considered to be acceptable in principle and comply with UDP Policies EC4/1 and S1/5.

**Residential amenity** - The business is operated by the wife of the applicant and there are up to two self employed members of staff. The nature of the business is not a noisy concern. Given the proximity to the existing commercial premises to the east and north, the scale of the business and the distance to the nearest residential property of over 50 metres,

it is considered that there would not be a significant adverse impact upon the amenity of the adjacent properties. In this instance, it is considered appropriate to attached a 'personal use' condition to the applicant, Elizabeth Jones and for up to two staff members at any one time.

Given the location of the property with surrounding commercial premises, the personal use condition and the scale of the business, the proposed opening hours of 8am to 10pm would be acceptable and controlled by a condition. Therefore, the development would comply with Policies EN7/2 and EC4/1 of the Bury Unitary Development Plan.

**Visual amenity** - There are no external alterations proposed. However signage placed on the building is subject to a separate application 58543.

**Car parking and traffic generation** - SPD11 - Parking Standards requires a maximum of 1 space per 30 sqm for an A1 non food retail use and a maximum 3 spaces for 4 bedroom properties and above. This equates to 4 spaces.

With the resident owner and up to two staff there would be the potential of up to 3 clients at the premises at anyone time.

The use of the car park of the public house opposite is of benefit. However as it is not in the ownership of the applicant this cannot be relied on.

The proposed development would provide 4 spaces and it is also within a high access area for public transport. With the parking spaces provided, public transport immediately outside and the possible use of the salon by close residents in walking distance, it is considered that the level of parking would be acceptable in this case and would not generate a significant increase in traffic.

As such, it would comply with UDP Policy HT2/4 - Car parking and New Development and SPD11.

**Response to resident comments** - The parking arrangements for the proposal are addressed in the above report and comply with SPD11.

The on street parking available and road speed are not matters under planning control.

**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. This decision relates to the drawings received on 21/04/15 and the development shall not be carried out except in accordance with the drawings hereby approved. Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
2. The use hereby permitted by this consent as a hairdressers (Use Class A1) shall be carried on only by the named person in the application, Elizabeth Jones, and only whilst a resident at Moorgate Cottage, 4 Radcliffe Moor Road and with no more than two members of staff on the premises at any one time. Reason. The proposed use is not in accord with the character of the area and permission has only been granted given the particular circumstances of the applicant and to conform with Unitary Development Plan Policy EC4/1 - Small

Businesses.

3. The hours of operation of the business hereby approved shall be confined to the following hours:-

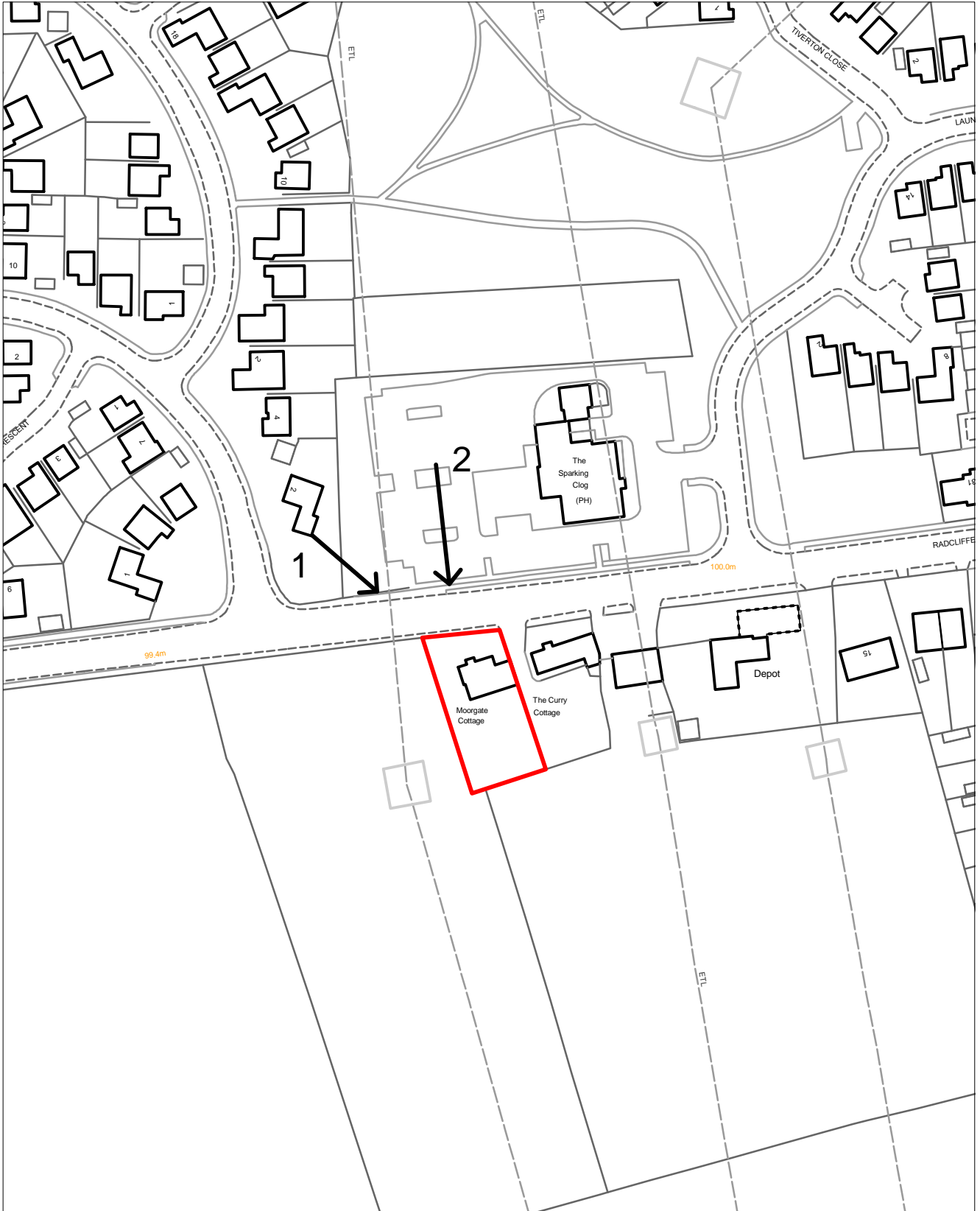
08:00hrs – 22:00hrs

Reason. To safeguard the amenities of the occupiers of nearby premises and to conform with Unitary Development Plan Policy H3/1 - Assessing Non-conforming Uses.

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



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 58535**

**ADDRESS: Moorgate Cottage, 4 Radcliffe Moor Road  
Radcliffe**



**Bury**  
COUNCIL

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

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58535

Photo 1



Photo 2



RESTAURANT DRIVEWAY

GAMES ROOM  
AREA

6.5m

2500

1200

STORE

LOUNGE

STUDY

BEDROOM

SALON

UP

4100

WC



1200

1000

3000

700

300

DRIVEWAY

DRIVEWAY

3m

GARAGE

5m

DRIVEWAY

PLANTED AREA

300

PLANTED AREA

75m

AREA

PAVEMENT

**Applicant:** Bury Council

**Location:** Ripon Avenue School, Ripon Avenue, Whitefield, Manchester, M45 8PJ

**Proposal:** Creation of new vehicular and pedestrian access from Ripon Avenue; Extension to existing car park; Replacement of existing canopy to main school entrance; Erection of a 3M high fence to football pitch; Erection of a 2.4M high boundary fence

**Application Ref:** 58564/Full

**Target Date:** 13/05/2015

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a specialist secondary school which primarily caters for the needs of children with mental and physical health disabilities. The school is located within a predominantly residential area, flanked on all boundaries by houses on Apollo Avenue, Sandown Road, Heathfield Road and Ripon Avenue, off which is the main vehicular and pedestrian access into the site and the school building. The car park is located to the front of the school where there is parking for staff, visitors and school minibuses.

The school buildings are located in the eastern part of the site and comprise a mix of single and 2 storey elements, with the playing fields to the west at a lower level.

Planning permission was granted in December 2013 for the development of the site comprising a 2 storey classroom block linked by a corridor to the main school building, construction of a paved patio area, installation of a multi use games area, land drainage system, sports playing pitch provision and 9 additional parking spaces. A temporary access off Ripon Road was also to be provided for the construction period.

The permission is currently being implemented and works are well underway.

The approved application was envisaged as part of a 2 Phase development programme. This application comprises Phase B, to incorporate improvements to vehicular access and address the parking provision at the school.

In essence, it is proposed to -

- create a new vehicular and pedestrian access from Ripon Avenue;
- extend the existing car park to create 59 spaces in total;
- replace the existing canopy to the main school entrance;
- erect a 3m high ball stop fence to the football pitch;
- erect a 2.4m high boundary fence along part of the southern boundary.

### **Relevant Planning History**

56791 - New two storey classroom block with single storey link corridor to main school building; Construction of paved patio area with retaining walls and installation of multi use games area with path access from adjacent new building; Installation of land drainage system in the remaining area of the playing field and marking out of grass football pitch on existing playing field; 9 additional parking spaces; a temporary access off Ripon Avenue for the construction period. - Approve with Conditions 18/12/2013

### **Publicity**

Letters sent to properties on Heathfield Road, Sandown Road, Apollo Avenue and Ripon Avenue 1/4/2015.

Letter sent on 24/4/2015 to Nos 44-64 (evens) Apollo Avenue and 49-63 (odds) Heathfield Road notifying of amendments to the height, length and colour of the ball stop fence.

Following the notification of the amendments, one letter of objection received from No 62 Apollo Avenue which raises the following issues:

- Disturbance to the structure of the house whilst works are being carried out;
- Destabilising their garden and house foundations;
- Insertion of the drainage manholes and pumping station further effect stability of the banking behind the garden;
- What reinstating ground cover treatment is proposed once the football pitch is complete?;
- Request the reinstatement of the part existing fence at the back of my property (which is not in my ownership), preferably with a full larch lap;
- Area behind my property will not be easily accessible;
- The ball stop fence should be green as at other schools in the area and 3.5m high as originally specified.

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

### **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objection.

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

**Greater Manchester Police - designforsecurity** - No comments

### **Unitary Development Plan and Policies**

NPPF	National Planning Policy Framework
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
EN1/2	Townscape and Built Design
RT2/3	Education Recreation Facilities
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury
RT2/4	Dual-Use of Education Facilities
HT4	New Development

### **Issues and Analysis**

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

**Principle** - UDP Policies CF1/1 - location of New Community Facilities and CF2 - Education Land and Buildings generally favours proposals for additional or improved community facilities, and has regard to impact on residential amenity and the local environment, traffic generation and car parking provision, the scale and size of the development, access to other services where applicable, accessibility by public and private transport, and the needs and requirements of the disabled.

The proposed access works and the reconfiguration and expansion of the existing car park would improve vehicular circulation into and out of the school and provide a segregated and safe pedestrian route to and from the school buildings.

As a consequence of the new boundary and ball stop fence, the security and safety of the site would be improved.



Subject to details of the new access works which would be required from Ripon Avenue, and which could be conditioned, and assessment of impact from the proposed fencing, the proposals would be acceptable in principle and comply with UDP Policies CF1/1 and CF2.

**Design, appearance and siting -**

Entrance - A new canopy would be provided to the main entrance. It would have a glazed curved panel projecting from the front elevation of the school supported by a steel frame. It would be a more notable and prominent feature than the existing entrance and more easily identifiable as the main entrance to the school building.

Proposed fencing - The ball stop mesh fence would be positioned approximately 4.5m from the rear gardens of houses on Apollo Avenue and 2.5m from Heathfield Road. From this point, a new 2.4m high security mesh fence would continue along the garden boundaries of houses on Heathfield Road. Although some parts of the ball stop and security fencing would be directly adjacent to or close to the boundaries with these properties, the rear elevation of the houses themselves would be more than 10m away at the shortest point and generally more than 20m away. Being mesh see through types, it is considered that outlook from these properties would not be significantly affected by the positioning of the fences. In addition, the ball stop fence would also serve the purpose protecting these properties from any wayward balls from the pitch.

For information, the application was originally submitted proposing a 3.5m high green ball stop fence. This has been subsequently revised to reduce it to 3m, due to the level difference between the site and to some of the properties on Heathfield Road. A black fence has been proposed as it would match the fencing previously approved around the MUGA pitch, which is directly south of the football pitch.

Ball stop and security mesh fences of this type are prevalent to schools in the Borough and are accepted as being the most effective in terms of security and visual appearance. As such, the design, appearance and siting of the proposed fences are considered to be acceptable and would comply with EN1/2 - Townscape and Built Design, EN1/5 - Crime Prevention and CF1 - Education Land and Buildings.

**Parking and access** - SPD 11 - Parking Standards in Bury states the maximum standards for parking provision for schools is 1.5 spaces per classroom. There are currently 45 marked out spaces to serve a total of 30 classrooms (which include the additional classrooms being completed as part of the Phase A Scheme), which already complied with Policy Guidance. The approved scheme also proposed an extra 9 parking spaces. This application allows for a further 5 parking spaces be provided following the reconfiguration and extension to the car park, which would equate to 59 on site parking spaces.

The application also allows for drop off spaces for 16 minibuses and waiting bays for 2 minibuses with disabled parking located at the front of the building which would further improve vehicular movement, circulation and parking for the school.

As such, the proposed parking and car park layout is considered to be acceptable and would more than satisfy policy requirements and be in compliance with SPD11 and HT2/4.

To improve vehicular movement and access to and from the school, it is proposed to create a one-way system. The new 'in' route to the site from Ripon Avenue would be directly adjacent to No 27, in the same position as the temporary access which is currently being used by construction traffic. The existing access/egress to the school would become the 'exit only' road. Appropriate signage would be provided to both the entrance and exit, the detail of which would be conditioned by the highways' officer.

The new access would not impact on any residents needing to gain access to their driveways or their properties and would improve on the highway safety of vehicle movement in this immediate area. No objections have been received from any of the nearby residents in this respect.

Two pedestrian paths are proposed from Ripon Avenue which would be segregated from the vehicles route and car park by a 1.2m high fence. Both paths would lead to an extended pedestrian area in front of the main entrance which would be resurfaced and made level with the threshold to the main building.

As such, it is considered that the proposals for the car park extension, together with the new vehicular and pedestrian access would improve the current arrangements on site. The Traffic Section have raised no objection to the proposals, subject to conditions, and as such the proposal would comply with HT2/4, HT6/2 and SPD11.

**Response to objections** - The objection raised by the local resident in terms of the proposed fencing has been covered in the above report.

The other issues raised relate to the construction works which are currently being carried out under the planning consent reference 56791 and are not material planning considerations under this application.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan E 13323 A 01; Existing site plan E 13323 A 02 A; Proposed site plan - car park and general access arrangements E 13323 A 03 B; Main entrance canopy as existing E 13323 A 04; Main entrance canopy as proposed E 13323 A 05; Proposed fencing plan - football pitch and site boundary E 13323 A 06 A; Proposed fence details of security fence E 13323 A 07; Proposed drainage plan E 13323 A 08; Design and Access Statement Rev A 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. 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

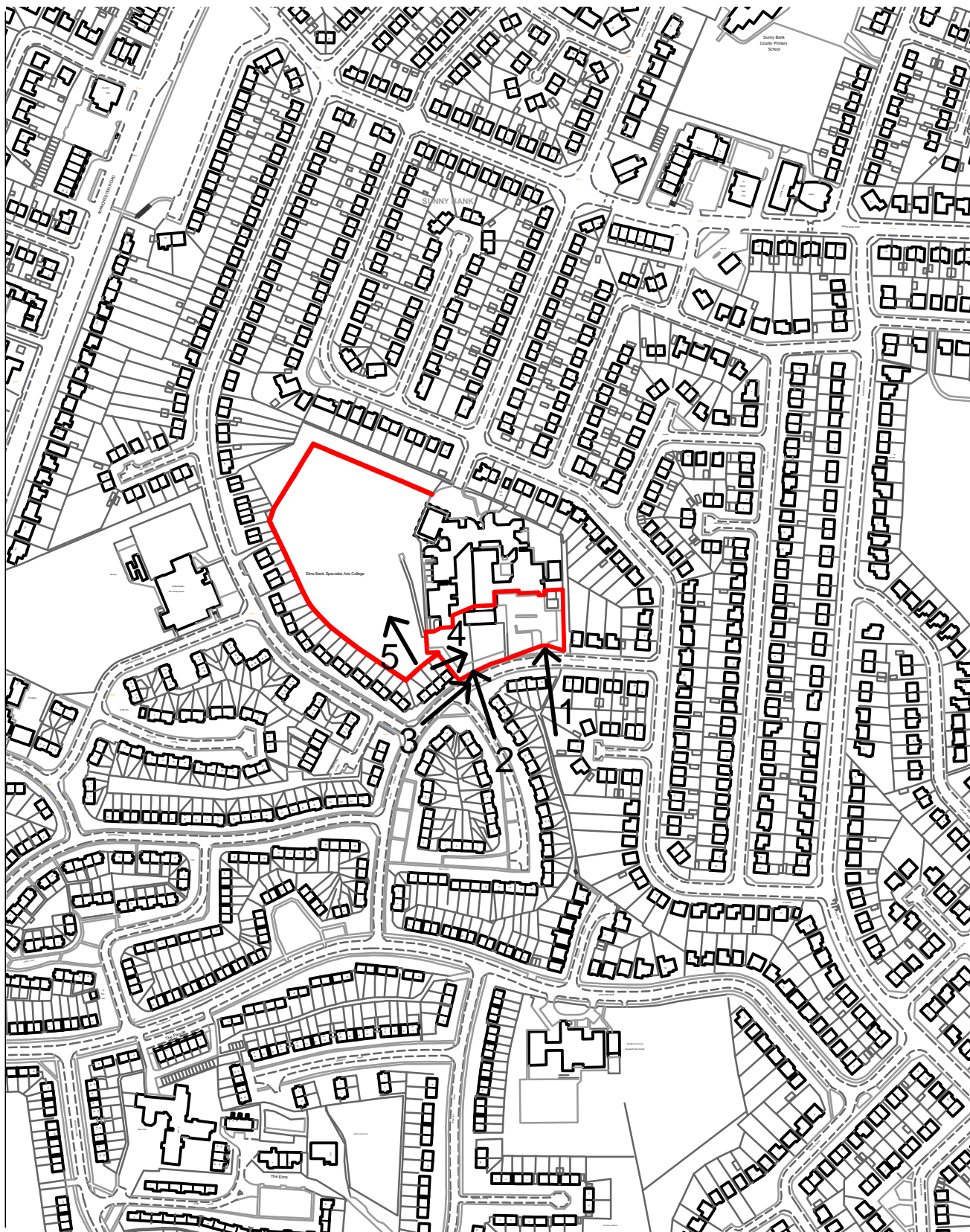
Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

4. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.  
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
5. The access alterations/car park signage shown indicatively on approved plan reference E 13323 A 03 Revision B, including all associated highway remedial works, shall be implemented to an agreed specification/Diag. 833 - 836 of the Traffic Signs Regulations and General Directions 2002 prior to the new accesses hereby approved being first brought into use.  
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Bury Unitary Development Plan Policies HT2/4 - Car parking and New Development, and HT6/2 - Pedestrian/Vehicular Conflict.
6. The turning facilities indicated on the approved plans ref E13323A 03 Revision B shall be provided before the extended car park hereby approved is brought into use and subsequently be maintained.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policy HT2/4 - Car Parking and New Development.
7. The car parking indicated on the approved plans reference E 13323 A 03 Revision B shall be surfaced, demarcated and made available for use and thereafter maintained available for use at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 58564**

**ADDRESS:** Ripon Avenue School  
Ripon Avenue, Whitefield



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

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58564

Photo 1



Photo 2





58564

Photo3



Photo 4

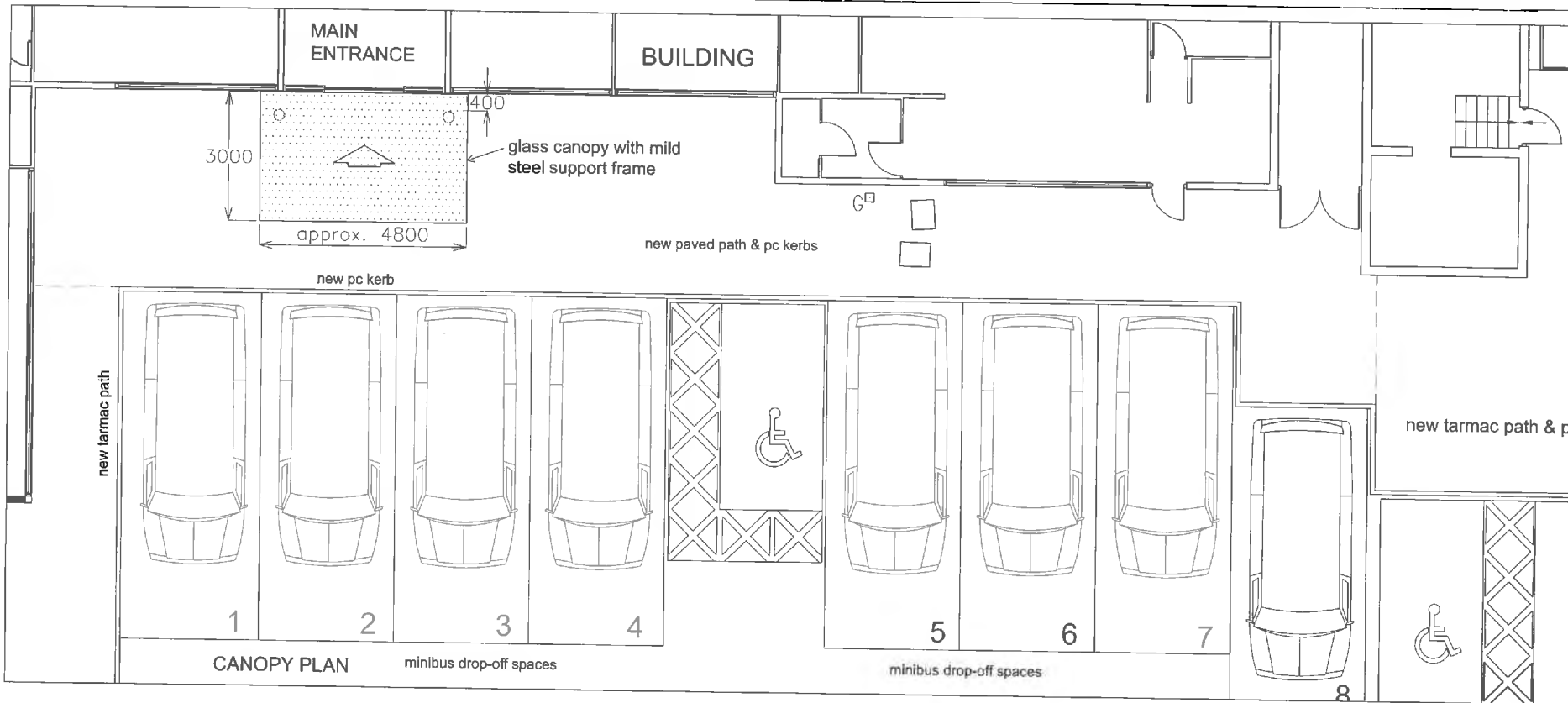


58564

Photo 5







**GENERAL NOTES**

THE CONTRACTOR IS ADVISED TO VISIT THE SITE PRIOR TO TENDERING & ACKNOWLEDGE ALL LOCAL CONDITIONS & RESTRICTIONS LIKELY TO AFFECT THE EXECUTION OF THE WORKS. NO CLAIMS ARISING FROM FAILURE TO DO SO WILL BE CONSIDERED.

THIS DRAWING IS TO BE READ IN CONNECTION WITH ALL OTHER DRAWINGS, SCHEDULES & SPECIFICATIONS RELATING TO THE PROJECT AND ANY DISCREPANCIES REFERRED TO THE CONTRACT ADMINISTRATOR IMMEDIATELY.

THE CONTRACTOR IS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORKS OR ORDERING ANY MATERIALS. DO NOT SCALE OFF DRAWING.

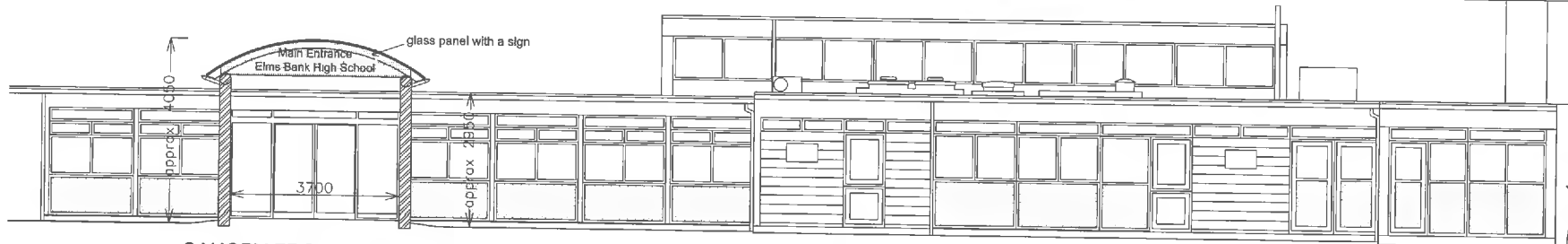
ALL WORKMANSHIP AND MATERIALS TO COMPLY WITH BUILDING REGULATIONS, BRITISH STANDARDS, CODES OF PRACTICE, MANUFACTURER'S INSTRUCTIONS & GREENHART CERTIFICATES ETC. ALL MATERIALS SHALL BE SUITABLE FOR PURPOSE.

THE CONTRACTOR IS TO HAVE GOOD A.I. WORKS DISPLAYED.

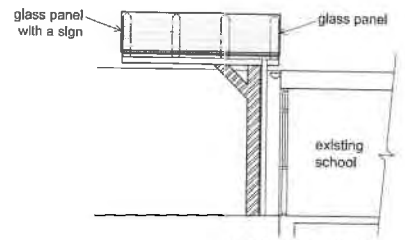
THE CONTRACTOR TO COMPLY WITH CON. REGULATIONS AND HEALTH AND SAFETY REQUIREMENTS WHERE APPROPRIATE.

**GARAGE**

**CANOPY PLAN**



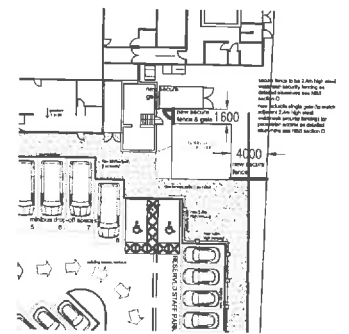
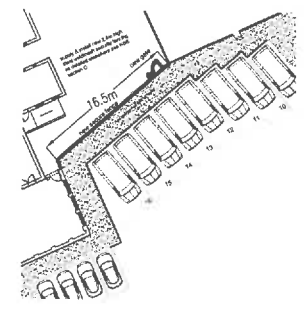
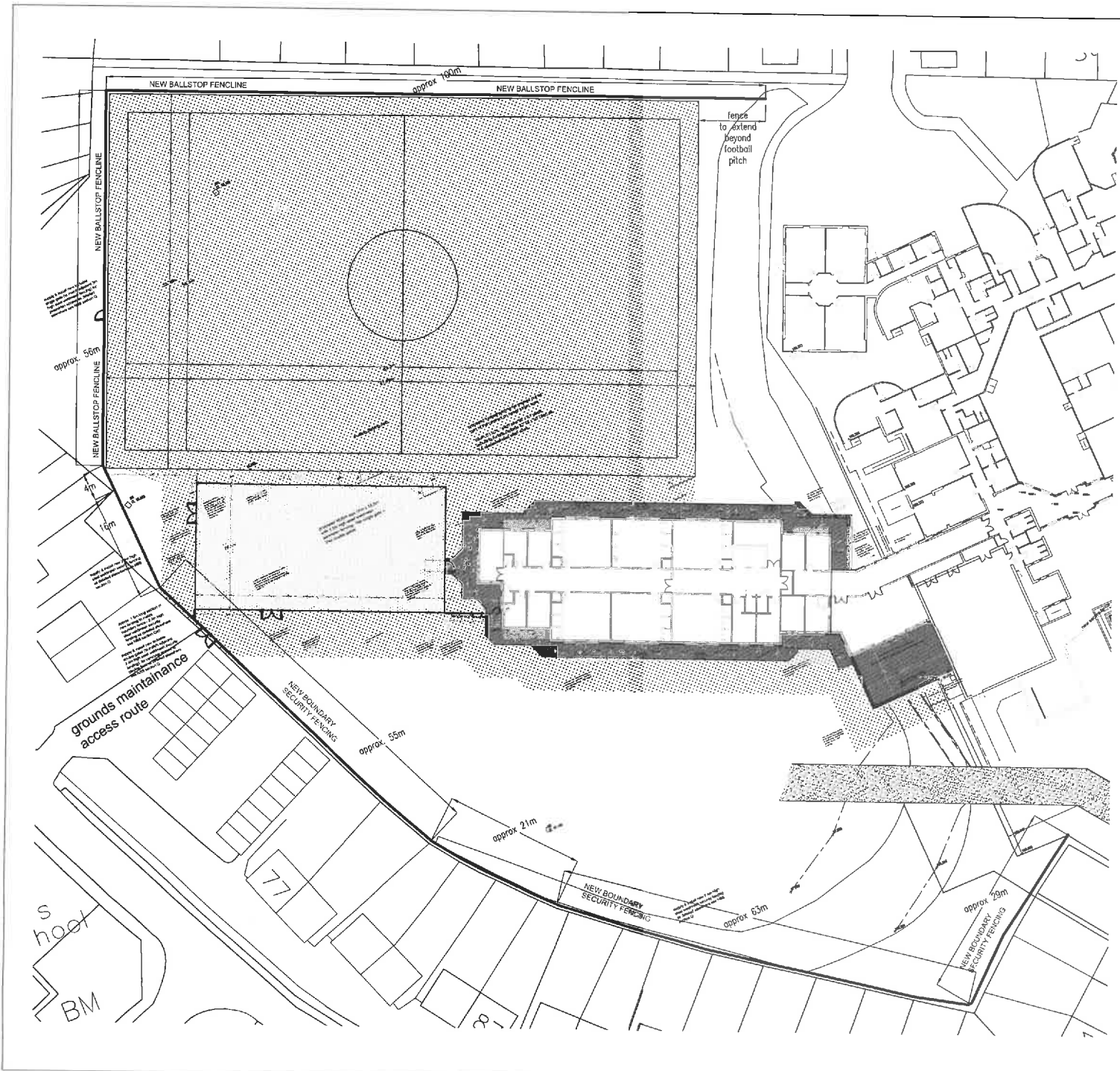
**CANOPY FRONT ELEVATION**



**CANOPY SIDE ELEVATION**

REV	DESCRIPTION	DATE
	<b>Planning issue</b>	
<p>This design/document has been prepared by Bury MBC Architectural Services. It should not, without prior permission, be used for any use other than the use originally intended.</p>		
<p>Communities and Neighbourhoods Architectural Services</p>		
<p>1 Knowsley Place, Dale Street, Bury, Lancs. BL9 9EJ</p>		
<p>TEL: 0161 253 5200 FAX: 0161 253 5192 WEB: www.bury.gov.uk</p>		
<p>PROJECT: Specialist Arts College, Elms Bank</p>		
<p>PROJECT TITLE: <b>Elms Bank Specialist Arts College, Phase 1B Building Upgrade, Demo of Temp Buildings &amp; Car Park Layouts</b></p>		
<p>DRAWING TITLE: <b>Main Entrance Canopy as proposed</b></p>		
DRAWN BY:	LK	DATE: 11/14
CHECKED BY:	RV	DATE: 11/14
SCALE:	1:50 @ A1	
<p>DRAWING NUMBER: <b>E 13323 A 05</b></p>		





Detail of fence section showing 1.65m high fence with 1.0m high top rail. The fence is to be constructed from 1.0m high concrete blocks with a 1.0m high top rail. The fence is to be constructed from 1.0m high concrete blocks with a 1.0m high top rail. The fence is to be constructed from 1.0m high concrete blocks with a 1.0m high top rail.

Detail of fence section showing 2.0m high fence with 1.0m high top rail. The fence is to be constructed from 1.0m high concrete blocks with a 1.0m high top rail. The fence is to be constructed from 1.0m high concrete blocks with a 1.0m high top rail. The fence is to be constructed from 1.0m high concrete blocks with a 1.0m high top rail.

4. This boundary fence is intended to be erected and used in accordance with the provisions of the Planning Act 2008. (11/02/08)

NO. DESCRIPTION DATE

**Planning issue**

The above drawings have been prepared by BURY MBC Architectural Services in accordance with the provisions of the Planning Act 2008. The drawings are for the use of the Council and are not to be used for any other purpose.

Communities and Neighbourhoods  
Architectural Services  
2 Forester Place,  
Bury, Lancs. BL9 9JL  
Tel: 0161 253 5300  
Fax: 0161 253 5301  
Web: www.bury.gov.uk

PROJECT: Elms Bank Specialist Arts College, Phase 1B Building Upgrade, Demo of Temp Buildings & Car Park Layouts

PROJECT TITLE: Proposed Fencing Plan - football pitch & site boundary

DESIGNED BY: RV	DATE: 11/14	DRAWN BY: NB	DATE: 11/14
CHECKED BY: NB	DATE: 11/14	SCALE: 1:200 @ A0	DATE OF ISSUE: 11/14

CONTRACT NUMBER: E 13323 A 06 A

**Ward:** Bury East - Redvales

Item 06

**Applicant:** Mr & Mrs A Odling

**Location:** Land Between 12 & 14 Enfield Close, Bury, BL9 9TU

**Proposal:** Erection of 1 no. dwelling with garage

**Application Ref:** 58589/Full

**Target Date:** 20/05/2015

**Recommendation:** Approve with Conditions

**A site visit has been recommended to take place before the Planning Control Committee meeting.**

### **Description**

The site relates to the garden of No 14 Enfield Close, which is located at the end of a cul de sac within a residential estate, and which comprises of a mix of detached bungalows and 2 storey dwellings. No 14 is at the head of the cul de sac in an elevated position, with Nos 1-9 (odds) in a similarly elevated position and Nos 2-12 (evens) sited at street level.

There are 3 single garages with a hardstanding area located at the head of Enfield Close, the 2 directly adjacent to the application site being in the ownership of Nos 9 and 14 Enfield Close.

There is a public footpath which runs along the south eastern boundary of the site which leads to houses at the rear on Lakeside.

The application seeks the erection of a 2 storey detached dwelling which would be located in the lower garden area of No 14. The dwelling would be sited adjacent to No 12 Enfield Close, separated by the public footpath and set back into the site by approximately 5m. The front elevation would face the cul de sac. The external footprint of the dwelling would be approximately 88 sq m, within a site area of 366 sq m.

The dwelling would comprise living accommodation and integral garage at ground floor and 3 bedrooms at 1st floor. There would be a patio and garden amenity space at the rear, and driveway to the front of the property.

The design of the dwelling would be relatively modest, with the eaves following that of the adjacent house, No 12. The front elevation would incorporate bay windows and a pitched roof canopy over the front door. Materials would comprise red/brown brick elevations and grey concrete roof tiles and white upvc windows and doors.

Vehicular access to the new dwelling would require crossing a small piece of land outside the applicant's ownership, which forms part of the hardstanding in front of the garage of No 9. The correct certificate has been signed and notice served on the owners.

The garden area to the north west of the site would remain as part of the curtilage to No 14.

### **Relevant Planning History**

01430/E - Erection of 1 no. dwelling - Enquiry completed 17/12/2013

### **Publicity**

42 letters sent on 31/3/2015 to properties at Nos 485-519 Manchester Road, 2-12 (evens) and 1-9 (odds) Enfield Close, 3-25 (odds) Lakeside, 25 Hendon Drive,



Site notice posted 17/4/2015.

6 letters of objection received from Nos 11, 15 Lakeside, 3,7, 9,12 Enfield Close which raises the following issues:

- Vigorously object to the dwelling being built;
- Overlooking and loss of privacy;
- Bedrooms will only be 20m from my rooms (No 11 Lakeside);
- The houses would be set further back than No 12 Enfield Close and therefore closer to our property (No 15 Lakeside) and more intrusive than any other properties on the estate;
- Overshadowing;
- Overbearing and out of scale to the existing buildings;
- Would lead to further 'garden grabbing' with an adverse effect on roads and services;
- Loss and impediment of views;
- Decrease in property prices;
- Negative impact on character and open aspect of the neighbourhood with many having large spacious gardens (as No 14 Enfield); loss of garden land and overdevelopment;
- No 9 Enfield is concerned about the workability of the scheme which affect the shared access (with neighbour at No 14) from the street onto the double garage forecourt, for which they are both responsible. This extends from the garage frontage to where it joins the existing footpath. It already has restricted access which would be exacerbated by another property. The plans show that any cars exiting/entering the new property would have to drive along a section of the footpath to get to the road. There is also the question of boundaries, which are shared in the vicinity of the garage/forecourt. The occupants would have to cross their neighbours property on a daily basis;
- Conflict with users of the public footpath and vehicles accessing the drive (complaint also made specifically by No 12 Enfield - photographs included to show footpath area and obstruction by a car);
- The applicant removed a tree to allow more light and now wants to build a 25 foot high house taking more light away;
- Being at the end of a cul de sac it will cause problems for neighbourhood welfare;
- No logistical planning has been made;
- It would not be in keeping with the current 2 storey detached houses on Enfield Close;
- It would necessitate many large heavy vehicles delivering large quantities of building materials etc along a small road which was never meant to take this kind of traffic, causing demonstrable harm to the road, amenities, in particular to safe on-road parking for family and friends, privacy and right to enjoy a safe and quiet residential environment;
- Article 8 of the Human Rights Act states that - Private and family life encompasses not only the home and land but also the surroundings;
- Access to and from our house may become hazardous and severely compromised;
- If approved, the Council should enforce controlled hours of operation and other restrictions that might make the duration of the work more bearable and ensure hazard free and unrestricted access for residents;
- Worried about the lack of gates to the property and the side path which will be cluttered with cars. On the plans the area involved looks quite large but is in fact a small space, and a health and safety risk;
- The layout shows there would be no room for cars to enter the proposed property without encroaching on land not owned by the applicant. To enter the site would have to mount the public footpath and miss a street light. Drawing AL07 is deceiving showing an exaggerated entrance and parking area.

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

## **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objections subject to condition.

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

**Waste Management** - No comments.

**Greater Manchester Ecology Unit** - No objection. Recommend informative regarding nesting birds.

## **Unitary Development Plan and Policies**

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions

## **Issues and Analysis**

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

**Principle** - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

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

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

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

UDP Policy H2/6 - Garden and Backland Development seeks to protect private and backland for infill development unless proposals show not to adversely affect the character and amenity of the area. Special regard will be given to the concentration and density of the development in relation to the surrounding area, impact on neighbouring properties and

the local environment and access arrangements.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

The proposed development would be located within an established residential urban area and would therefore not conflict with the local environment, character and surrounding land uses. There is existing infrastructure in place to support the scale of the development, and the scale of the proposal would not result in over development of the site. As such the principle is considered to be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1, H2/2 and H2/6.

Details of the layout, design, proximity to residential properties and access and parking are discussed below.

**Siting and Layout** - The dwelling would be sited on the lower garden area of No 14 Enfield which is located at the end of the cul de sac. It would continue the row of detached houses and be set back approximately 5m from the front elevation of the adjacent property, No 12. It would be separated from this property by the public footpath which connects Enfield Close to Lakeside at the rear.

The dwelling would provide modest family accommodation on a similar scale to the adjacent row of detached houses on Enfield. It would have a rear garden, minimum 6.9m in length and a driveway and vehicle turning area to the front. The boundary fence adjacent to the footpath and the rear of the site would be retained, with a fence proposed on top of the retaining wall to form a new boundary with No 14.

The layout and scale of the development would be such that the dwelling could be comfortably accommodated within the site area, and provide adequate external amenity space without compromise to either future occupiers or surrounding residential properties.

As such, the layout is considered to be acceptable and would comply with H2/1 - The Form of Residential Development, H2/2 - The layout of Residential Development and H2/6 - Garden and Backland Development.

Whilst No 14 Enfield would lose part of their garden area, this property has an extensive garden area, and the loss of this piece of land would still leave a significantly sizeable garden at both the front and rear.

As such, it is considered the amenity of the current and future occupiers would not be compromised and the proposal would comply with H2/1 - The Form of New Residential Development.

**Scale, design and appearance** - The dwelling would reflect the scale and massing of the 2 storey properties on Enfield Close and the roof design and eaves level in keeping with the adjacent row.

In terms of appearance, the dwelling would be relatively modest and not dissimilar to those in the area. The bay fronted windows and pitched roof canopy to the front entrance would add interest and detailing to the front elevation.

Proposed materials would comprise facing red/brown brickwork with cream render gable fascia boards and grey interlocking tiles. Windows would be white upvc with black rainwater goods, again similar to the surrounding area.

It is considered that the proposed dwelling would reflect the character of the area whilst offering some individuality in terms of elevational detailing and as such considered to be in compliance with UDP Policies H2/1 - The Form of New Residential Development and EN1/2

- Townscape and Built Design.

**Impact on the surrounding properties** - SPD 6 advises that a distance of 20m should be maintained between habitable room windows in 2 properties and 13m between ground floor habitable room windows and a 2 storey blank gable wall, with an extra 3m of separation for additional storeys or difference in levels. Whilst the guidance relates to extensions, it also states that to maintain adequate privacy standards, there should be a minimum distance of 7m between first floor habitable room windows and a directly facing boundary with a neighbouring property.

There would be a distance of more than 20m from the rear elevation of the proposed dwelling and No 11 Lakeside, the property directly to the rear. There would be a distance of 6.9m from the rear elevation of the new dwelling and the rear boundary. This only just falls short of the recommended standard and given that this would be the minimum garden length, the aspect standards are considered to be acceptable and in general conformity with policy guidance.

There would be a distance of 16.7m from the front elevation of No 14 and the blank gable of the new build and as such aspect standards would be fully satisfied.

Whilst separation distances would be acceptable and in compliance with policy guidance, it would be reasonable and prudent to remove permitted development rights to protect the amenity of the adjacent occupiers from potential future developments.

As such, the siting and position of the proposed dwelling is considered to be acceptable and would not have a detrimental impact on the privacy, outlook or light of adjacent properties and would therefore comply with H2/1 - The Form of Residential Development, H2/2 - The Layout of Residential Development and H2/6 - Garden and Backland Development.

**Traffic, parking and access** - SPD 11 - Parking Standards in Bury seeks a maximum provision of 2 spaces for 3 bed properties in high access areas. The development would provide for an integral garage and driveway parking, similar to the existing properties on Enfield Close. As such, it is considered sufficient parking would be provided for the development and be in compliance with SPD 11.

The objectors state that currently, the 2 garages and forecourt area at the head of the cul de sac which are used by Nos 9 and 14 for parking, is already restricted due to the tight manoeuvring area. The other issue raised by the objectors is that access to the site would require driving over part of the adjacent public footpath, which would cause potential danger and safety issues for pedestrians.

The applicant acknowledges and appreciates these concerns in a letter dated 14th April 2015. The existing access is already an odd arrangement in terms of the position of the garages and access to them. The current situation is such that both No 9 and No 14 already cross the shared access to the garages and use part of the footpath to manoeuvre on and off the forecourt parking area.

The site itself has an existing vehicular access which could be used today, and according to the applicant, has been used in the past, which necessitates a vehicle to drive over the shared access area to enter the site. Whilst this would still be the case in the proposed development, the plans demonstrate that a vehicle could access the new dwelling, manoeuvre and park on the new driveway, with the added benefit that a vehicle could exit the site in a forward gear, unlike the existing arrangement. Whilst there would be some encroachment onto the pedestrian footway, cars entering and leaving the site would be doing so at a very slow speed and in a forward gear which would be a considerable improvement.

In terms of additional traffic generated by the development, it is considered that one dwelling would not generate significantly more traffic to the area, nor create highway safety implications at the site entrance.

The Traffic Section have assessed the site and the proposals and are satisfied that the development would not create highway or pedestrian safety issues. No objection has been raised by Traffic subject to conditions and as such, the proposals would comply with H2/2 - The layout of New residential Development, HT2/4 - Car Parking and New development and HT6/2 - Pedestrian and Vehicular Conflict.

**Ecology** - There are no significant ecological constraints associated with the development. The only loss appears to be a damson tree and some lawn. GMEU are satisfied with the information submitted and recommend a note be included to the applicant informing of action required should nesting birds be found present.

**Response to objectors -**

- Decrease in house prices is not a material planning consideration.
- New built development would expect to generate a certain amount of traffic and disruption. This would not be an issue controlled under a planning application and would be subject to control under separate legislation.
- Similarly, working hours on the site would not be controlled by planning conditions, with more effective legislation facilitated under the Environmental Protection Act.
- The other issues raised by the objectors have been covered in the above report.

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

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

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Site Location Plan AL01 A; Site block plan as existing AL02 A; Site block plan as proposed AL03 D; Site section A-A1 as existing and proposed AL04 B; Site section B-B1 as existing and proposed AL05 B; Floor plans and elevations as proposed AL06 C; Clean site block plan AL07 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

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

6. Notwithstanding the details indicated on approved plan reference (AL07) the development hereby approved shall not be commenced unless and until full details of the following have been submitted to and agreed in writing with the Local Planning Authority:

- proposals to reconstruct the area of adopted highway used as a shared access between the site and Enfield Close in front of the existing pedestrian barriers in a contrasting material to the flagged footpath link between Enfield Close and Lakeside and to a specification to be agreed;
- proposals to provide a clearly demarcated access to the new dwelling approximately 2.5m in width;
- provision of a 5.0m long hardstanding for No. 14 Enfield Close measured from the front elevation of the existing garage;
- provision of a roller shutter door or a similar approved type which does not project outwards at any time during or after operation to replace the existing garage door.

The details subsequently approved shall be implemented in full before the dwelling hereby approved is first occupied and shall thereafter be maintained.

Reason. To ensure good highway design, maintain the integrity of the adopted highway and enable a vehicle to stand clear of the access to the new dwelling whilst the garage door is opened and to allow adequate space to maintain a vehicle clear of the shared access, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.

7. Subject to the requirements of Condition 6, the turning facilities indicated on approved plan reference AL07 shall be provided before the dwelling hereby approved is first occupied and shall subsequently be maintained free of

obstruction at all times and be maintained available for use by the future occupier of the new dwelling and users of the existing hardstanding serving No 14 Enfield Close.

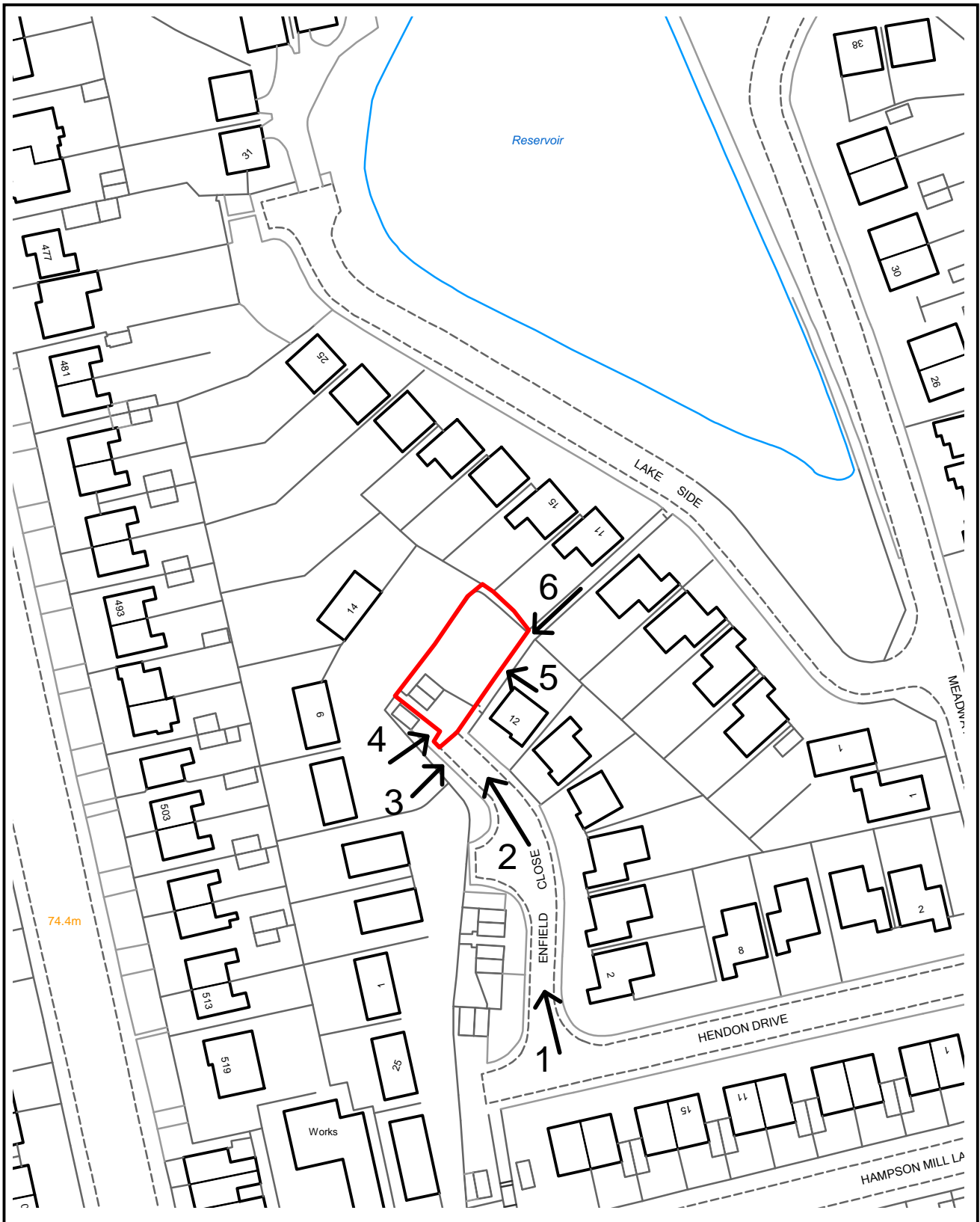
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.

8. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use before the dwelling hereby approved is first occupied and thereafter maintained available for use at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
9. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to Bury Unitary Development Plan Policy H2/3 - Extensions and Alterations and SPD6 - Alterations and Extensions to Residential Properties.
10. No development shall commence 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 schemes for surface water drainage, with appropriate calculations to support the chosen solution. The approved details only shall be implemented.  
Reason. In order to meet the requirements of Chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the National Planning Policy Framework.
11. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 58589**

**ADDRESS: Land Between 12 & 14 Enfield Close  
Bury**



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

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58589

Photo 1



Photo 2





58589

Photo 3



Photo 4





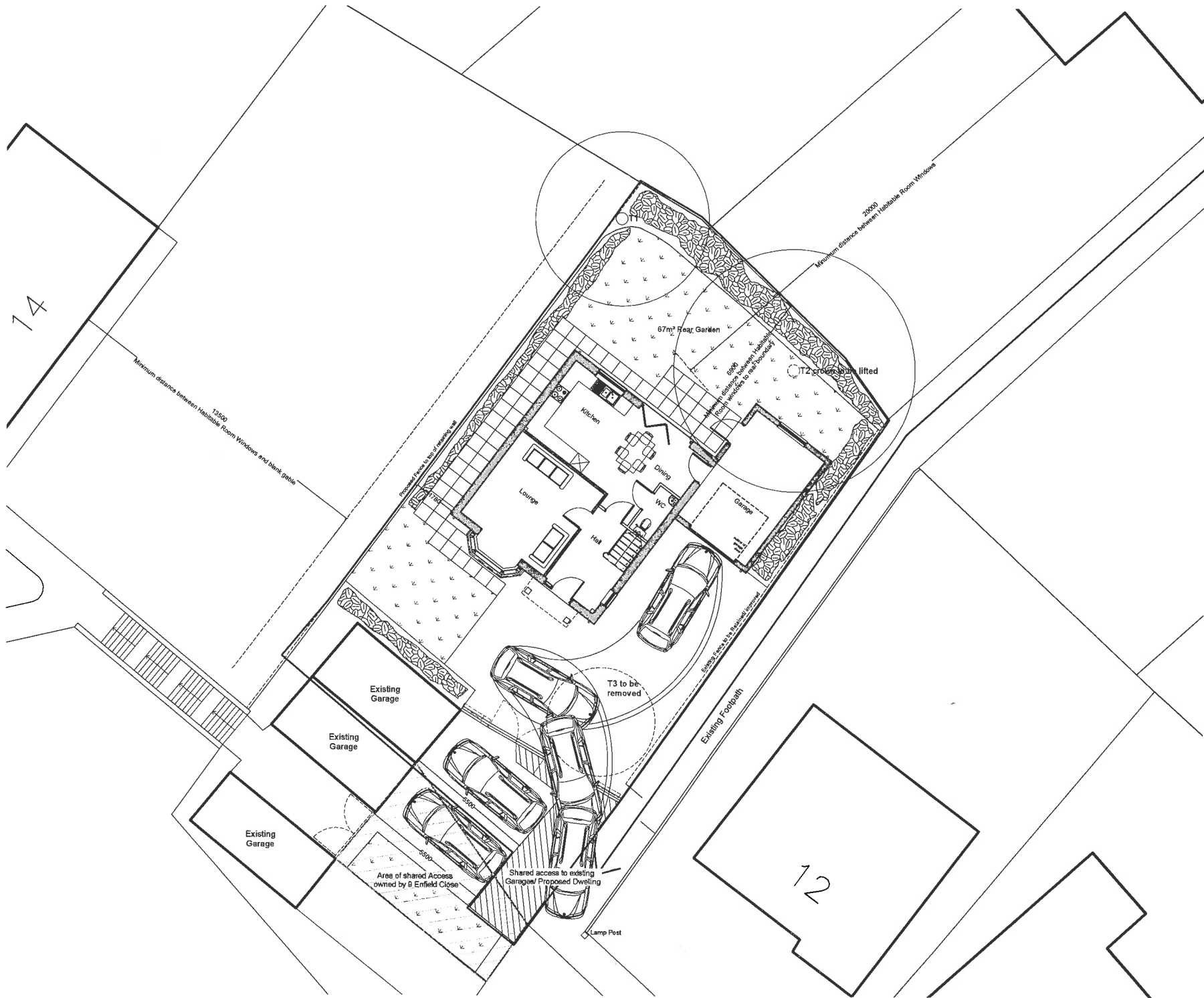
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Photo 5



Photo 6





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5. All drawings to be read in conjunction with all other consultants drawings and specs.



Rev	Date	Drawn	Description
D	14.04.15	AC	Area of shared access outside of replacement (boundary added) (green line boundary)
C	18.11.14	BL	stayed bay added to footprint
B	10.11.14	LC	retained foot print and amendments to boundary following client feedback
A	30.09.14	BL	door added between garage and dining area

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landscape & urban designers

Client  
**Mr & Mrs Odling**

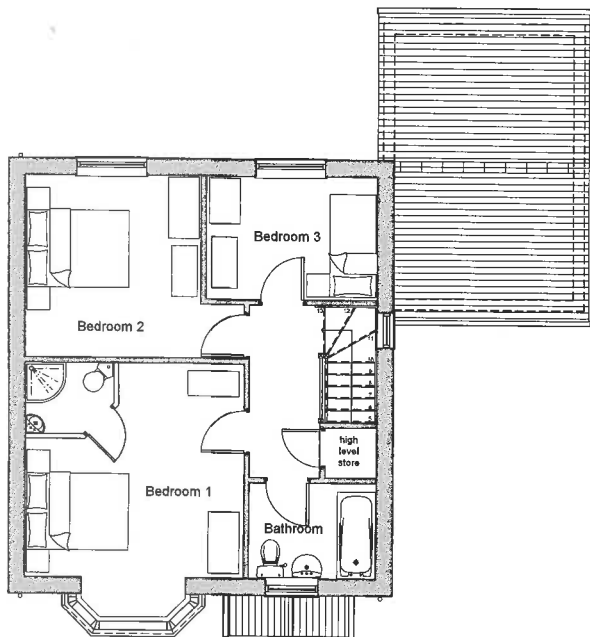
Project  
Proposed 2 storey Dwelling  
Land at Enfield Close  
BURY, BL9 9TH

Title  
**Site Block Plan 'as proposed'**

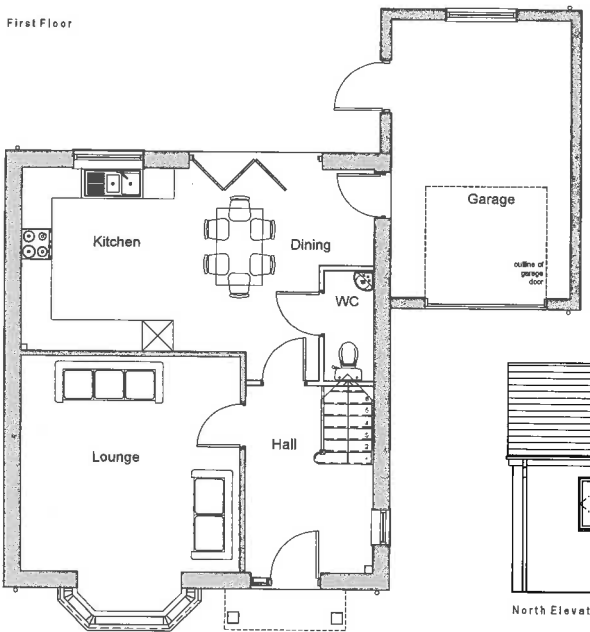
Status  
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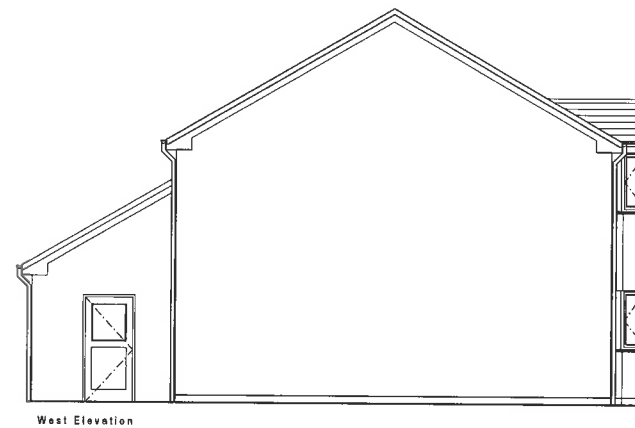
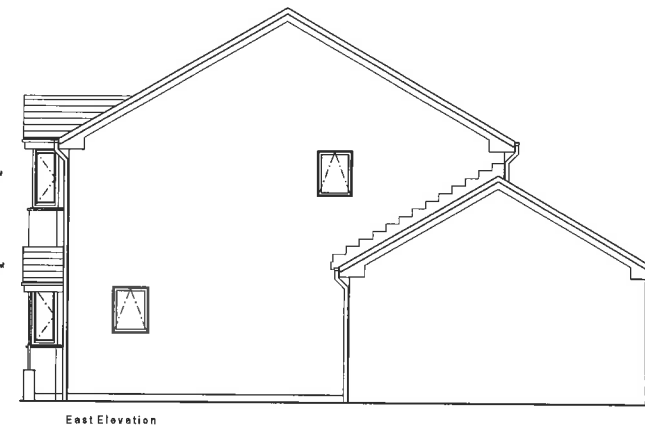
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First Floor



Ground Floor



**Materials Schedule**

- walls: red/ brown brick with cream render panel to gable fascia board and brick slips to match brickwork to bay panel
- roof: grey concrete pantile profiled interlocking tiles. white upvc soffit and fascia board
- windows: UPVC double glazed casements. Obscure glazing to bathroom and WC windows
- doors: White UPVC part glazed door with side vision panel to front door. Rear upvc white bi-folding doors. Garage door painted white steel up and over door
- rainwater goods: black UPVC gutters and downpipes

C	10.11.14	26	bay window changed to 45° angle and finished in brickwork
B	10.11.14	10	not correct to underline, very white subject, catch red/brickwork, gable window and more external floor added to rear of garage
A	20.08.14	10	Door added between garage and dining area
Rev	Date	Drawn	Description

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landscape & urban designers

**Client**  
Mr & Mrs Odling

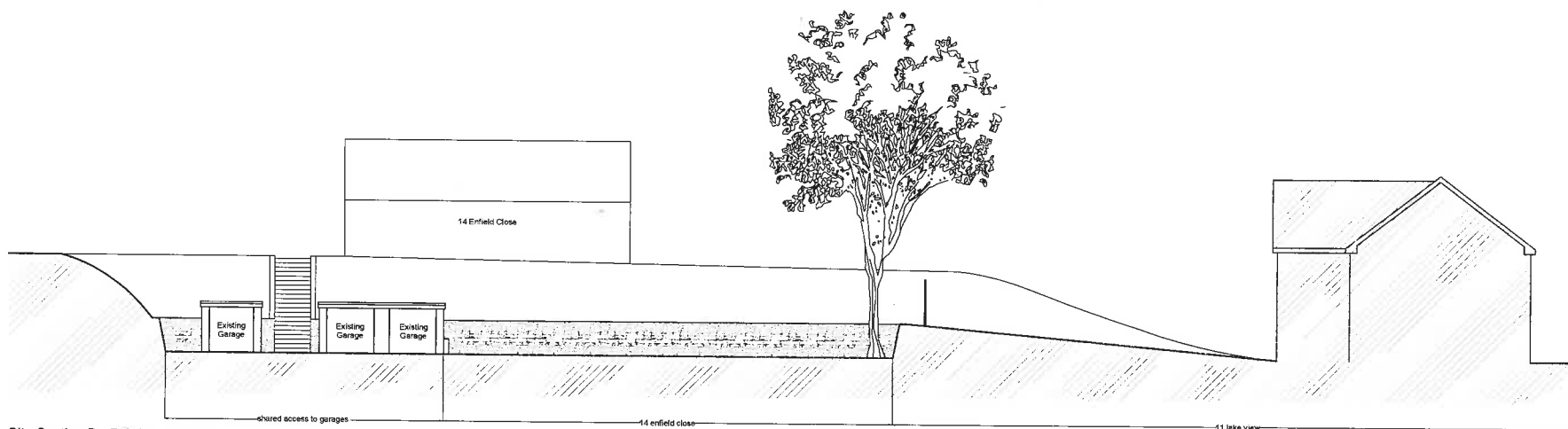
**Project**  
Proposed 2 storey Dwelling  
Land at Enfield Close  
BURY, BL9 9TH

**Title**  
floor plans and elevations:  
as proposed

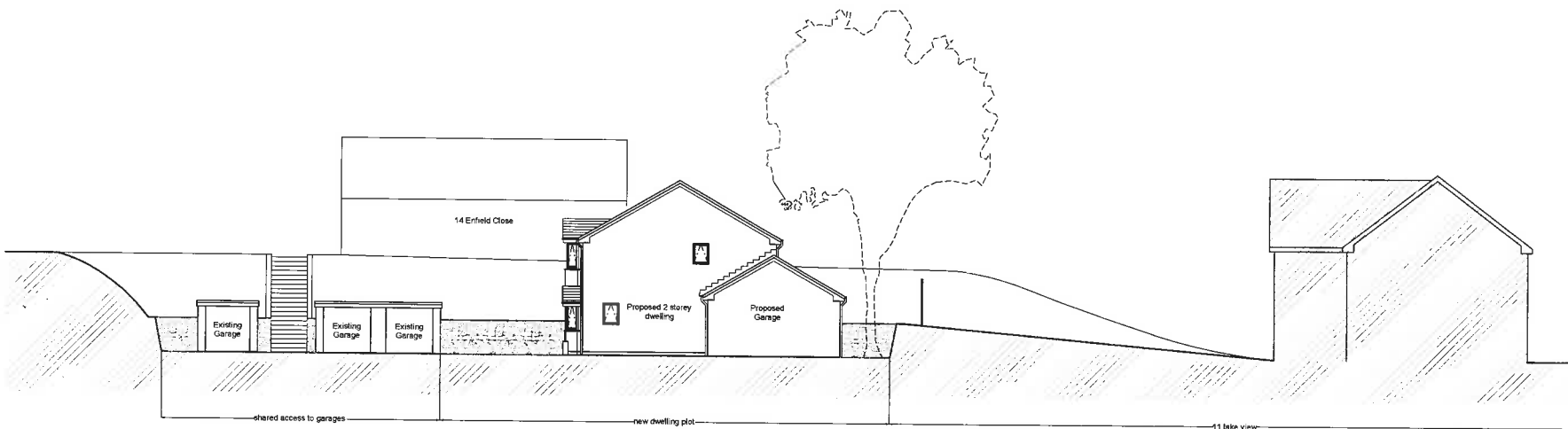
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Site Section B - B 1 'as existing'  
Scale 1:100



B	14.11.14 LC	2 storey bay altered to altered bay
A	12.11.14 LC	2 storey bay and porch added, garage not changed in plan
Rev	Desc	Description

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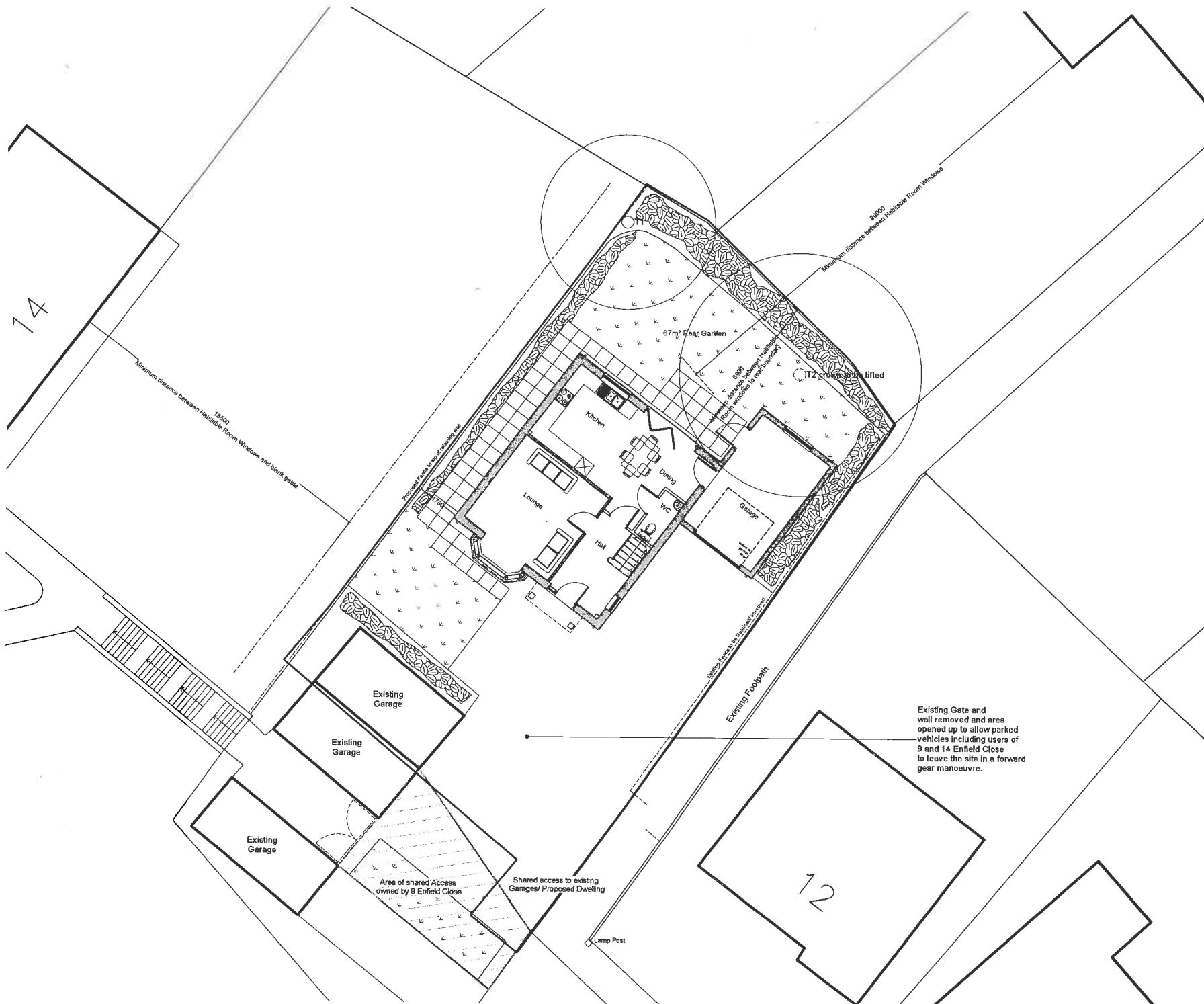
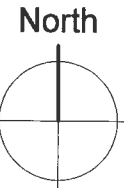
Client	Mr & Mrs Odling
Project	Proposed 2 storey Dwelling Land at Enfield Close BURY, BL9 9TH
Title	Site Section B - B1 as existing & as proposed

PLANNING			
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Rev	Date	Drawn	Description

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advisors | project managers |  
landscape & urban designers

Client	Mr & Mrs Odling
Project	Proposed 2 storey Dwelling Land at Enfield Close BURY, BL9 9TH
Title	Clean Site Block Plan

Status  
**PLANNING**

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Drawing Number	AL07			Revision:	-

**Ward:** Radcliffe - North

Item 07

**Applicant:** Mr Saeed Postchi

**Location:** 22 Cockey Moor Road, Bury, BL8 2HB

**Proposal:** Demolition of existing bungalow and erection of 2 storey replacement dwelling (resubmission)

**Application Ref:** 58590/Full

**Target Date:** 15/06/2015

**Recommendation:** Approve with Conditions

### **Description**

The application is a resubmission following a previous refusal for a scheme to replace the existing bungalow with a larger house. The existing property is a red brick and slate detached bungalow on the north side of Cockey Moor Road. The properties along the road are mixed in size and style with large garden areas front and back and form a well established ribbon development linking the west side of Bury with Ainsworth Village.

The site is within the Green Belt and the West Pennine Moors and has open countryside to the north, beyond the rear garden boundary. To the west side is a bungalow with an extension at the rear of similar proportions to the existing property whilst to the east is a two storey house with a hipped roof. Across Cockey Moor Road, to the south, are two storey houses.

The application proposes to demolish the existing bungalow and detached single garage at the rear and replace it with a two storey 4-bed dwellinghouse. The proposed house would be centrally positioned with a footprint measuring D14m x W10.7m. The eaves would be 5.5m high with the ridge height of 7.4m.

The house would have a relatively conventional design and appearance with a high proportion glazing in the front elevation. The roof would be hipped with a central glazed flat roof element. At the rear corners there would be single storey sections with a two storey central element set in. Revised plans show the two storey element has been reduced back at the rear. The elevations would be red facing brick at the lower level with an ivory K render above. The roof would be cement tiles. The access point onto Cockey Moor Road would remain as existing.

### **Relevant Planning History**

01601/E - Demolition of existing bungalow, construction of replacement dwelling - Enquiry completed 23/01/2015

57756 - Demolition of existing bungalow and erection of 2 storey replacement dwelling with additional living accommodation in roofspace - Refused 07/10/2014 on the following grounds

- detrimental to the character and appearance of the locality by reason of its height, size, design and position within the streetscape.
- detrimental impact on the openness of the Green Belt.
- overdominant and have a serious overshadowing effect on the adjacent neighbours.
- undue overlooking and an unacceptable reduction in the level of privacy of neighbours.

### **Publicity**

The following neighbours were notified by letters dated 20/04/2015 and 20/05/2015 (revised 7 day letter). 5-11(odds) and 18-26(evens) Cockey Moor Road, Craigside, Arthur Lane and the Ainsworth Community Association (75 Church Street).

Six objections received from Nos.9, 11, 18, 20 and 24 Cockey Moor Road and Craigside on Arthur Lane. Objections are summarised below:

- The revised plans don't address original objections regarding intrusion on and dwarfing of surrounding properties.
- The modern design would be out of character with the surroundings.
- The height of the proposal also presents concern and will result in a dwarfing effect (exaggerated by the upward incline) for neighbouring property.
- The proposed dwelling is too big and would be overdominant in relation to neighbouring properties. It would be contrary to Green Belt policy which only allows replacement dwellings that are proportionate and not materially larger.
- Overdevelopment within the plot.
- Increased overlooking of neighbours from rear windows.
- The new house would block light and views from neighbouring properties.
- Increase in noise levels due to noise reflecting off high walls.
- The footprint represents an increase of almost 80% which is contrary to Green Belt Policy.
- The loss of light to neighbours would lead to increased energy consumption and increased CO2 emissions.
- The existing bungalow could be sympathetically restored without detriment to the area.
- Views of Holcombe Hill and beyond (from No.9 Cockey Moor Road) will disappear forever with the building of this property.
- There is insufficient parking and access to and from the site would be dangerous.

The neighbouring properties have been notified of the revised plans on 20 May 2015. Any comments received will be reported in the Supplementary Report.

The objectors have been notified of the Planning Control Committee.

### **Consultations**

**Traffic Section** - No objection.

**Drainage Section** - No objection.

**Environmental Health** - No objection.

### **Unitary Development Plan and Policies**

OL7/2	West Pennine Moors
OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
EN1/2	Townscape and Built Design
EN7	Pollution Control
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
EN5/1	New Development and Flood Risk
EN7/5	Waste Water Management

### **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** - Policy H1/2 Further Housing Development, states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses. The principle of residential use on the site established by the current property.

**Green Belt** - The National Planning Policy Framework (NPPF) para 89 indicates that a replacement dwelling within the Green Belt is acceptable provided it is not materially larger than the one it is replacing.

UDP Policy OL1/2 New Buildings in the Green Belt reflects the NPPF in stating that replacement dwellings are acceptable where they are not disproportionate in scale to, or materially larger than, the original dwelling. Where new development is deemed to be inappropriate in that it would have a detrimental impact on the openness of the Green Belt, the development would need to be justified under 'Very Special Circumstances (VSC)'.

Policy OL1/3 indicates that infill development would be acceptable where there is unbroken ribbon development and the new development would not prejudice Green Belt objectives.

Supplementary guidance in SPD8 New Buildings and Associated Development in the Green Belt supports Green Belt policies and indicates that where a replacement dwelling is proposed the new dwelling should reflect the original dwelling in terms of massing, siting and area of footprint, height and should not be materially larger than the one it replaces. A new dwelling that is disproportionately larger or differs materially in position or footprint to the existing house would only be permitted in 'Very Special Circumstances' and only after the applicant has demonstrated why, in these circumstances, permission should be granted.

Notwithstanding the various increases in footprint or volume, the overriding advice is that each proposal will be considered on its own merits in the light of policies and guidance.

With an approximate increase in the footprint, from 88sqm(approx) to 150sqm and an approximate volume increase from the existing bungalow and garage at 410m<sup>3</sup> to 823m<sup>3</sup>, the new dwelling would be significantly larger than the original bungalow.

In assessing the proposal on its own merits, it is considered that the larger dwelling is not 'disproportionate' within the wider streetscape which is made up of both bungalows and large two storey houses along a well established ribbon development. An appropriately proportioned larger dwelling may not be out of keeping with the street scene or have a seriously detrimental impact on the character or openness of the Green Belt. Indeed it could be argued that a larger house on what is a spacious plot would make better, more efficient use of the site.

In the light of the NPPF, para 89, UDP Policies OL1/2, OL1/3 and associated guidance and taking the proposal on its individual merits, the new dwelling would not be considered to be out of scale with its surroundings and therefore would be acceptable and complies with the above Green Belt policies.

**Visual Amenity** - There is a mix of different house styles and sizes of dwellings along this part of Cockey Moor Road as it runs out of Bury towards Ainsworth Village. In terms of siting, the new house is generally in line with the other properties along the road and is in a similar position within the plot as the previous bungalow, albeit extending out further at the rear.

With an eaves height of 5.5m and a ridge height of 7.4m, the replacement house, whilst having a more modern character than the neighbours, would not appear particularly prominent or incongruous on the streetscape and within the wider locality.

It is considered the proposal would not have a seriously detrimental impact on visual amenity and the character of the streetscape and the wider West Pennine Moors landscape. It would therefore be acceptable and complies with policies EN1/2 Townscape and Built Design, OL7/2 West Pennine Moors and adopted guidance in SPD16 Design and Layout of New Development in Bury.

**Residential Amenity** - The neighbouring house at No.20 has a ground floor door and hallway window with first floor stairwell and WC windows facing across the side boundary. The bungalow at No.24 has a ground floor secondary side kitchen window and a first floor obscure glazed bathroom window facing the site. In terms of residential amenity, the non-habitable/ secondary windows cannot be afforded significant weight in any assessment.

The proposed new dwelling has a number of windows directly facing towards the neighbours on either side. On the side/west elevation there are obscure glazed windows to the integral garage and an en suite. On the other side/east elevation, there are two dining room windows at ground floor level that would be non-opening and obscure glazed. On the upper floor all the side windows are obscure glazed en suite. Given the nature of the windows and the obscure glazing, there would be no direct overlooking of neighbours on either side. There are habitable room windows on the front and rear elevations but these would not increase overlooking beyond what would reasonably be expected in a suburban residential setting.

The concerns of the neighbour at No.20 Cockey Moor Road with regard to reflected noise from the side elevations of the new house are noted but not considered significantly serious enough to warrant refusing the application.

In terms of the impact of the single and two storey elements extending beyond the rear elevations of the neighbouring properties on either side, the Council's adopted guidance in SPD6 Alterations and Extensions suggests that two storey extensions should not encroach on a 45 degree line measured from a point on the boundary, 1m beyond the neighbours rear elevation. In terms of the single storey elements, these should not encroach beyond a 45 degree line measured from habitable room windows on neighbours properties. The revised plan satisfies this guidance. It is also noted that No.20 Cockey Moor Road has driveway down the side boundary and a single garage at the rear that would in part help screen the single storey element on this side.

Although extending back further beyond the neighbour's properties, the new dwelling is, on balance, considered acceptable and complies with UDP Policies H2/1, H2/2 and guidance in SPD6 Extensions and Alterations in relation to residential amenity.

**Access and Parking** - The existing access point from Cockey Moor Road would remain unchanged. The driveway up to the integral garage and parking to the front, at a length of approximately 13m, is considered sufficient for two cars. A condition would be attached to require all areas of hardsurfacing to be made permeable. The proposal complies with UDP Policy HT2/4 Car Parking and New Development and associated guidance in SPD11.

**Drainage** - The new house would be connected to the main drainage system and an appropriate condition and informatives would be attached to any approval notice.

**Representations** - Most of the planning issues raised by the objectors have been addressed in the above report.

The issue about increased CO2 levels and higher energy consumption raised by the neighbour would not be considered significant enough to warrant refusing the application. The loss of particular views of Holcombe Hill from properties across Cockey Moor Road are

not a valid reason to refuse the application, particularly as the new house would only be two storeys high.

On balance, it is not considered that the revised proposal would have a seriously detrimentally impact on the visual amenity and character of the area, the openness of the Green Belt and the residential amenity of the neighbours.

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

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

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to revised drawings numbered 01, 02/B, 03/B, 04/D, 05 and 06/A and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to the following policies of the Unitary Development Plan H2/1 The Form of New Residential Development and H2/2 The Layout of New Residential Development.
5. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the

Local Planning Authority.

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

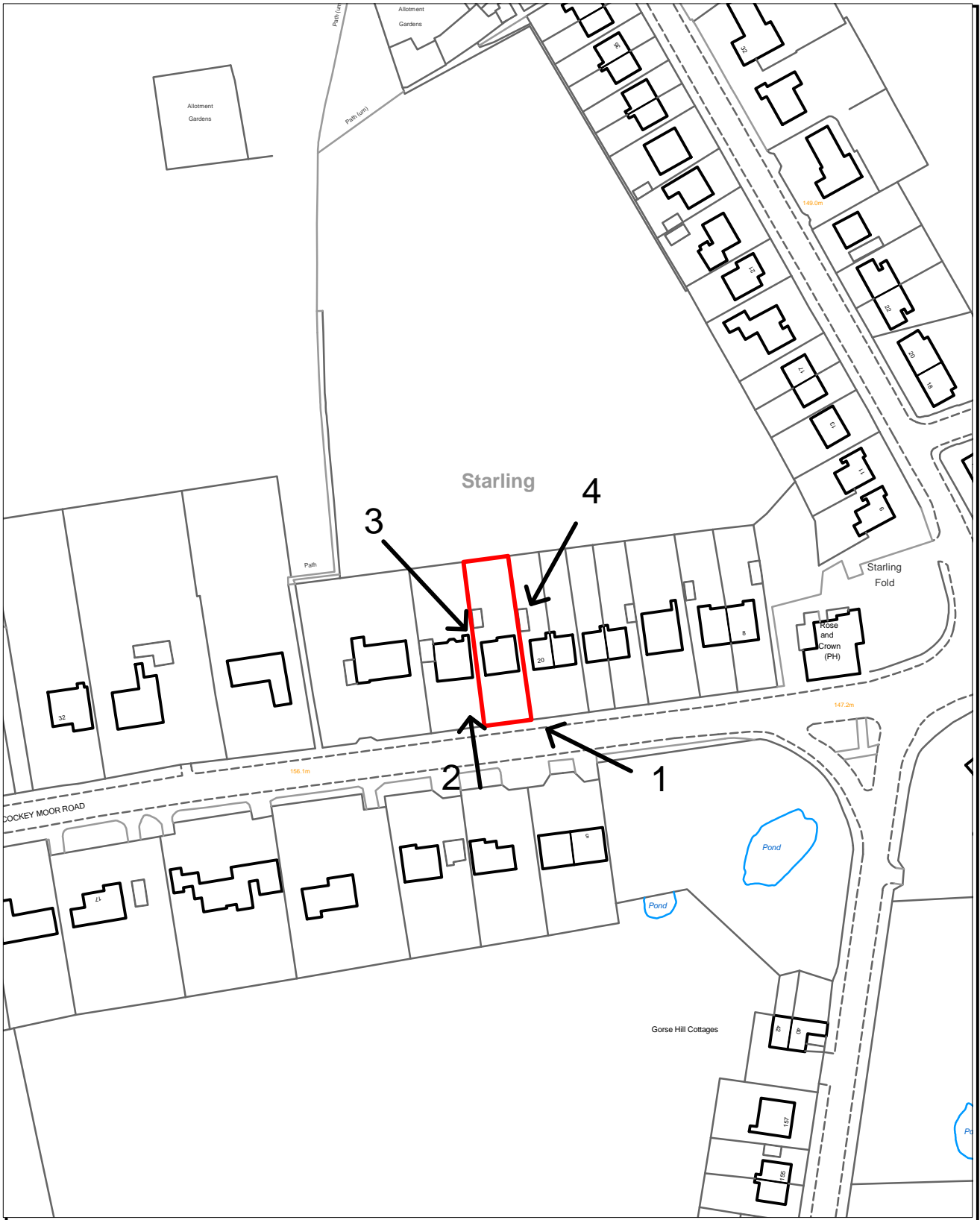
6. Following the provisions of Condition 5 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment
7. Following the provisions of Condition 5 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
8. The proposed driveway and paved areas at the front of the property shall be constructed of permeable/porous materials as set out in the Dept of Communities and Local Government publication "Guidance on the Permeable Surfacing of Front Gardens".  
Reason: To secure the satisfactory development of the site pursuant to UDP Policy EN5/1 New Development and Flood Risk.
9. Development shall not commence until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include potential SuDS options for a surface water drainage scheme. The approved drainage scheme shall be implemented and thereafter maintained to the satisfaction of the Local Planning Authority.  
Reason: To reduce the risk of local flooding and water pollution by ensuring the provision of a satisfactory means of surface water disposal pursuant to UDP Policy EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.
10. The integral garage hereby approved shall not be converted to additional living accommodation without the written approval of the Local Planning Authority.  
Reason. To ensure adequate car parking provision is retained pursuant to Policy H2/2 The Layout of New Residential Development and HT2/4 Car Parking and New Development.
11. Prior to the commencement of development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.  
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.



12. Before the first occupation of the dwellinghouse hereby approved all windows on the west and east side elevations shall be fitted with restricted opening and obscured glazing (Min obscurity level 3) to the written satisfaction of the Local Planning Authority and shall be permanently retained in that condition thereafter. Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2.1 The Form of New Residential Development.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 58590**

**ADDRESS: 22 Cockey Moor Road  
Bury**



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

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58590

Photo 1



Photo 2



58590

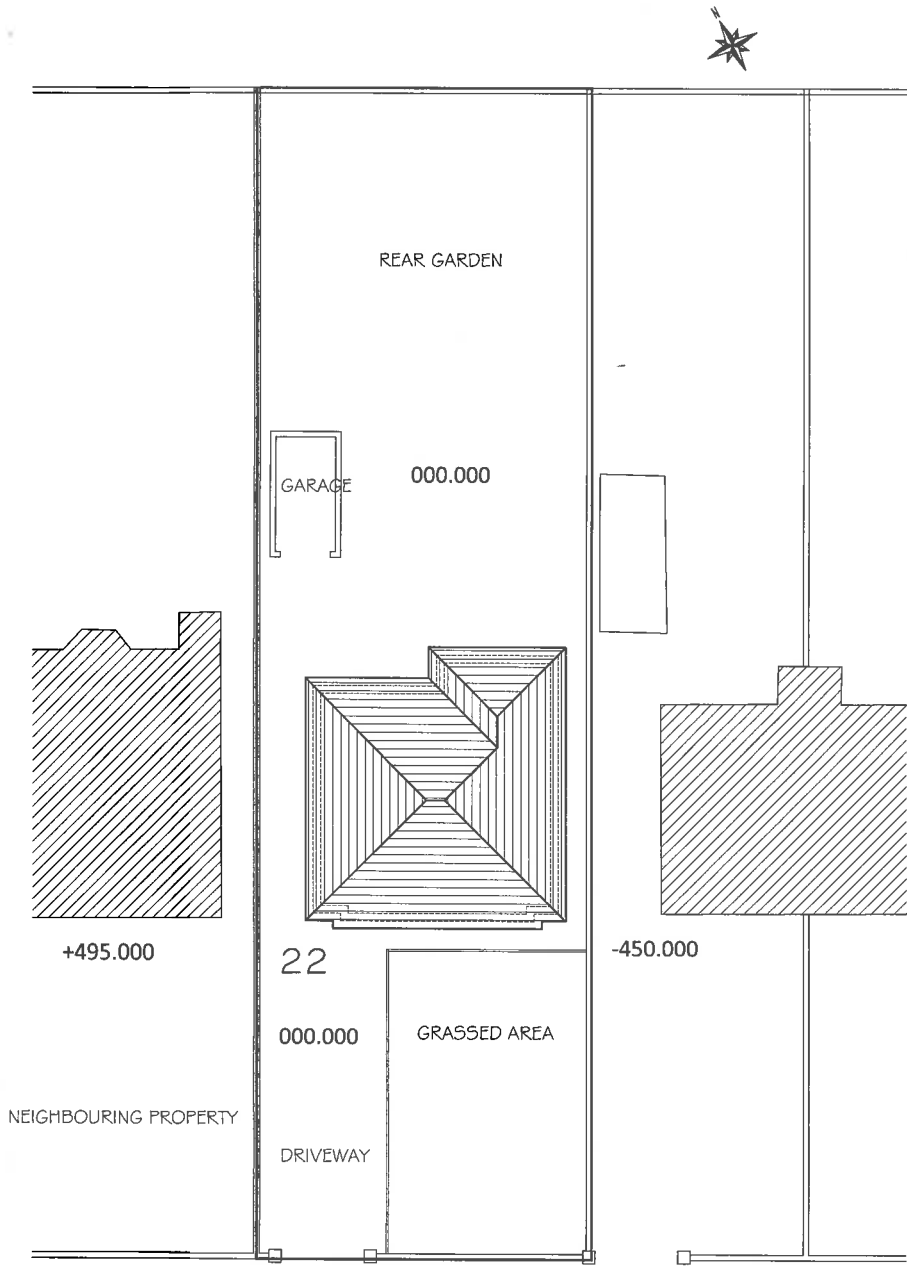
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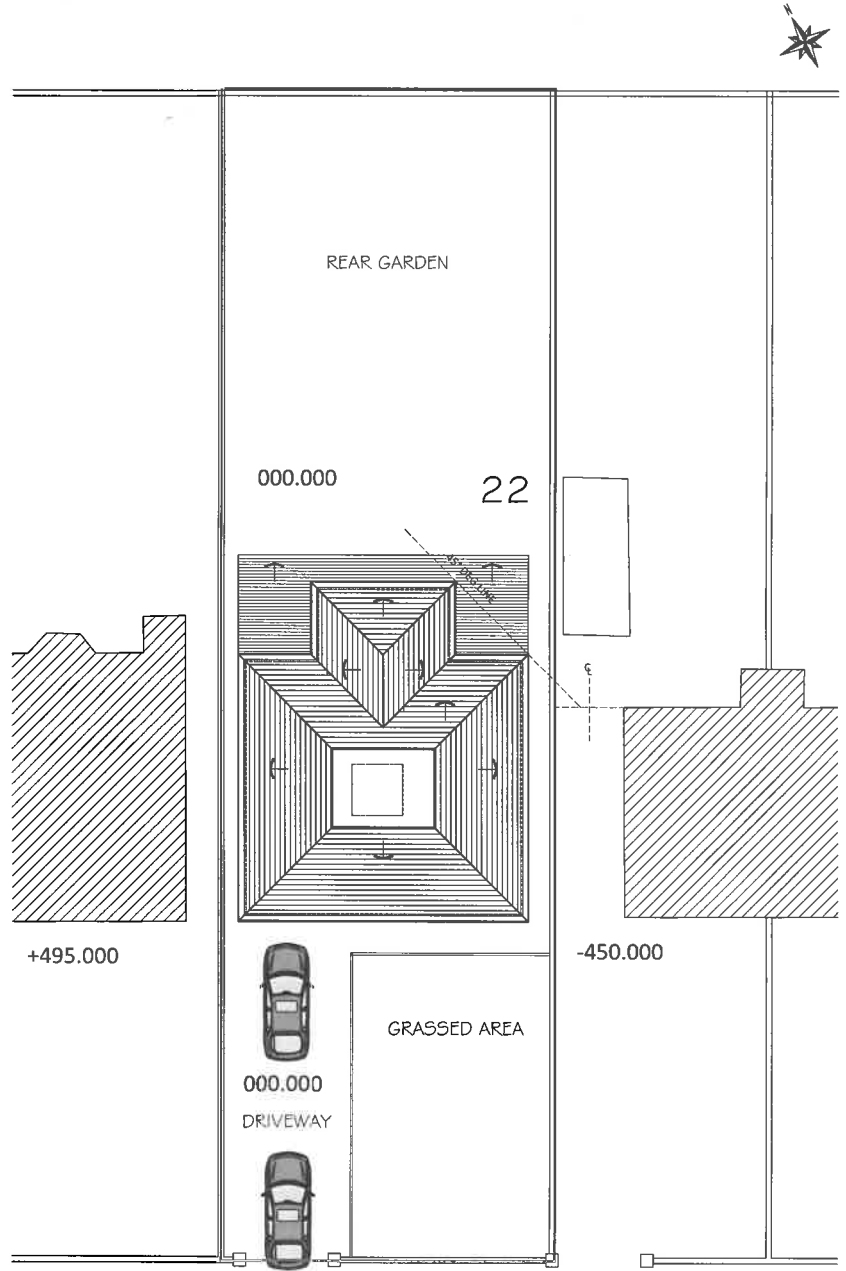
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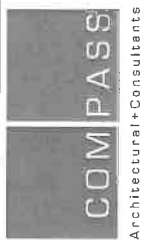


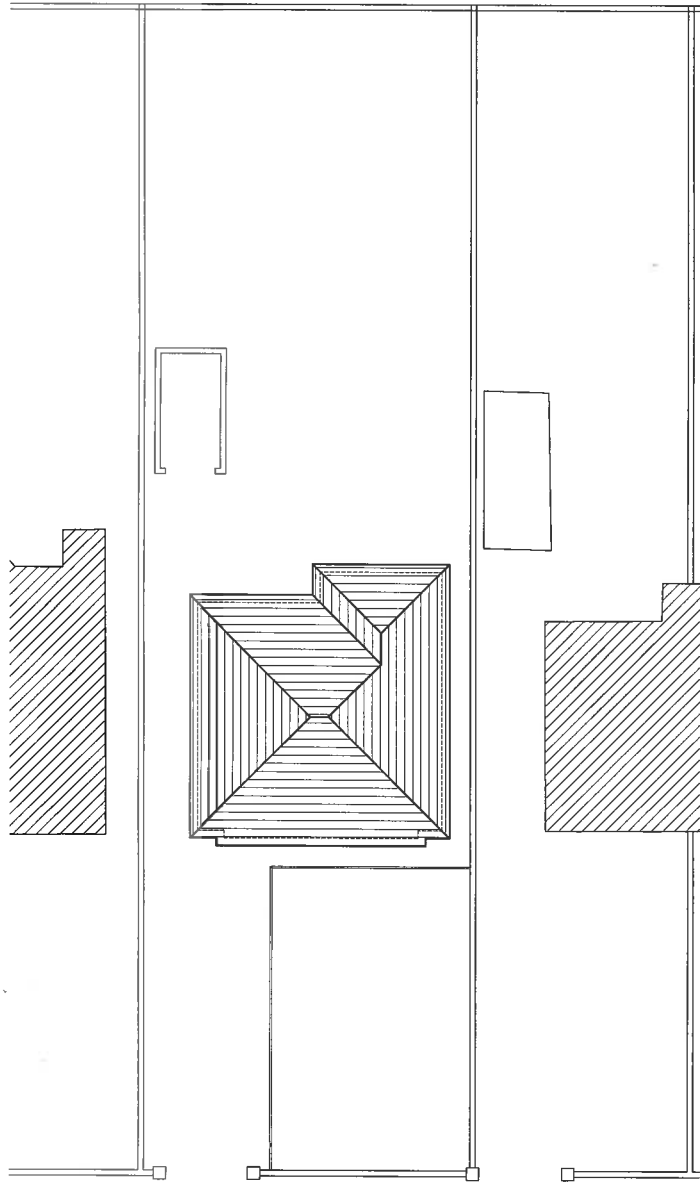


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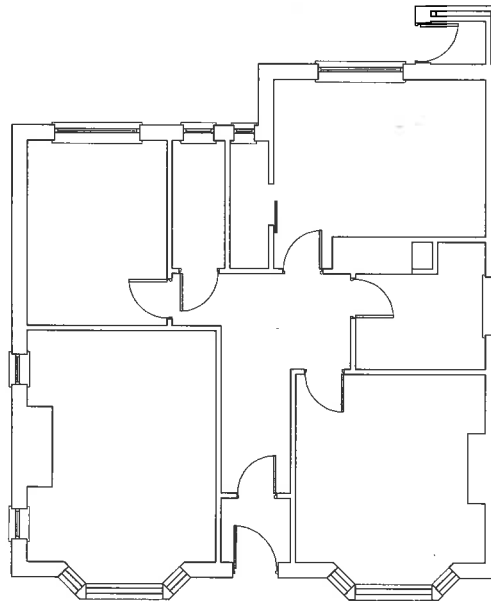


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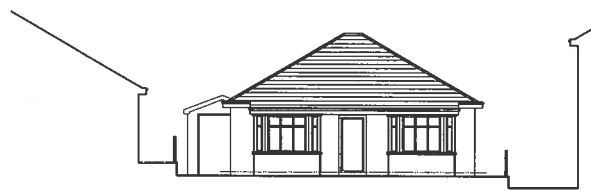
 Architectural + Consultants	CLIENT MR AZIMY	PROJECT TITLE DEMOLITION OF EXISTING BUNGALOW & PROPOSED REPLACEMENT DWELLING	DRAWING STATUS PLANNING DRAWING FOR APPROVAL
	DRAWS SUITE 303 APPLEBY STREET BLACKBURN LANCASHIRE BB1 3BL TEL 01254 699322	AT: 22 COCKEYMOOR ROAD, BURY, BL8 2HB	DRAWING PATH SCALE 1:100 @ A1 DATE 11/06/2014 DRAWN DESIGN PROJECT NO. LV/2014/0631



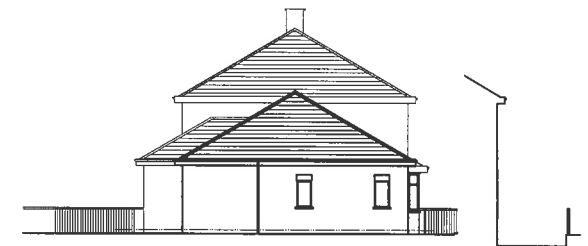
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EXISTING FLOOR PLAN. SCALE 1:50



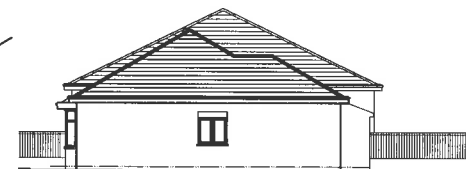
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EXISTING REAR ELEVATION. SCALE 1:100



EXISTING SIDE ELEVATION B. SCALE 1:100

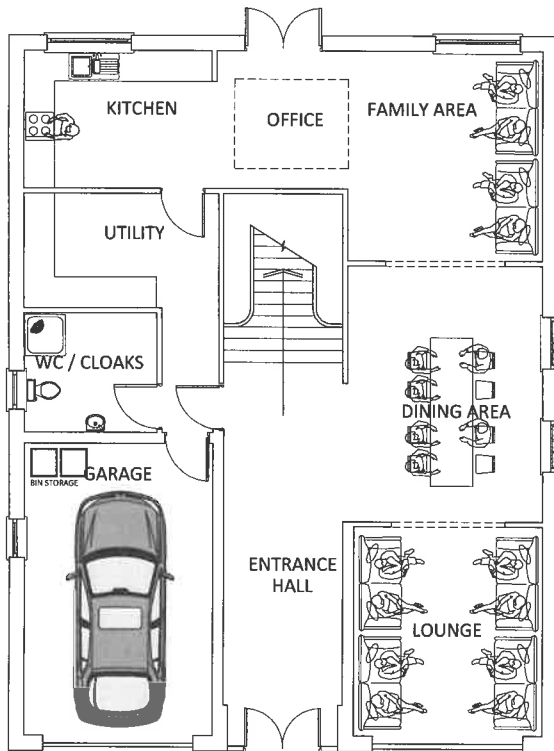


DAISYFIELD BUSINESS CENTRE  
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BLACKBURN  
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BB1 3BL  
TEL| 01254 693922

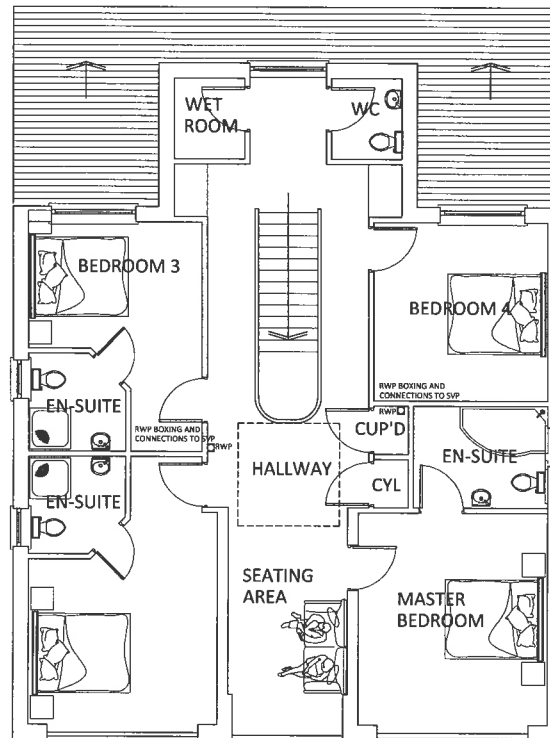
CLIENT  
**MR AZIMY**  
DRAWING TITLE  
**EXISTING PLANS & ELEVATIONS**

PROJECT TITLE  
**DEMOLITION OF EXISTING BUNGALOW & PROPOSED REPLACEMENT DWELLING**  
AT:  
22 COCKEY MOOR ROAD,  
BURY,  
BL8 2HB

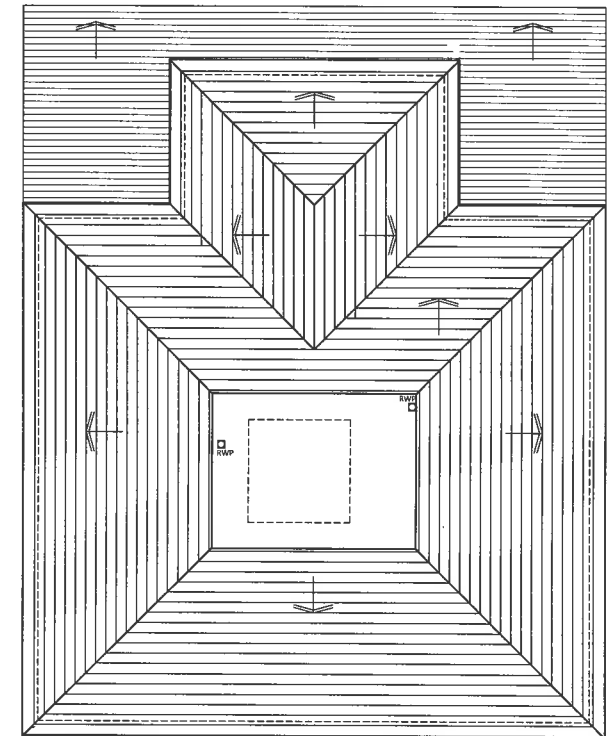
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DATE 11/JUNE/2014  
DRAWN DESIGN  
PROJECT NO. LV/2014/0631  
DWG No. **01**  
REV



PROPOSED GROUND FLOOR PLAN. SCALE 1:50



PROPOSED FIRST FLOOR PLAN. SCALE 1:50



PROPOSED ROOF PLAN. SCALE 1:50

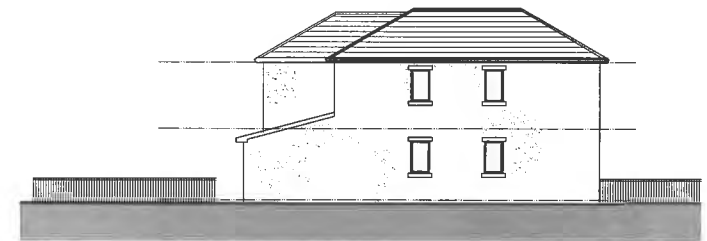


DAISYFIELD BUSINESS CENTRE SUITE 301 APPLEBY STREET BLACKBURN LANCASHIRE BB1 3BL TEL   01254 693922	CLIENT <b>MR AZIMY</b>	PROJECT TITLE <b>DEMOLITION OF EXISTING BUNGALOW &amp; PROPOSED REPLACEMENT DWELLING</b> AT: 22 COCKEY MOOR ROAD, BURY, BL8 2HB	DRAWING STATUS <b>PLANNING DRAWING FOR APPROVAL</b>	
	DRAWING TITLE <b>PROPOSED FLOOR PLANS</b>		DRAWING DATE SCALE 1:50,1:00 @ A1 DATE 08/FEB/2015 DRAWN DESIGN PROJECT NO. LV/2014/0631	DWG No. * <b>02</b> REV <b>B</b>

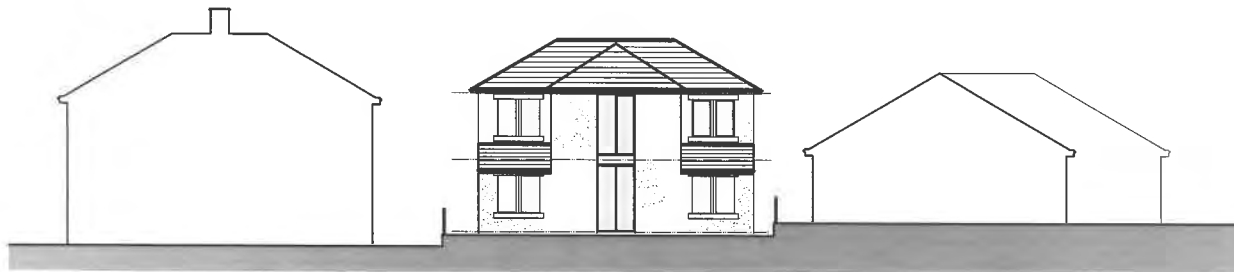




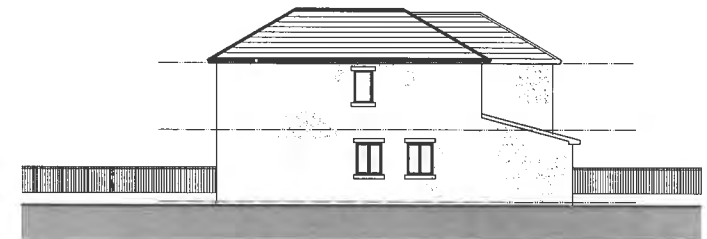
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PROPOSED SIDE ELEVATION A. SCALE 1:100



PROPOSED REAR ELEVATION. SCALE 1:100



PROPOSED SIDE ELEVATION A. SCALE 1:100

FINISHES:  
 PROPOSED WALLS TO BE IN MATCHING BRICKWORK & RENDER FINISH TO MATCH EXISTING PROPERTY WALLS OR SIMILAR APPROVED TO LOCAL AUTHORITY PLANNERS SATISFACTION.  
 PROPOSED WINDOWS AND DOORS TO BE IN UPVC AND TO MATCH OTHER WINDOWS TO EXISTING DWELLING.  
 PROPOSED ROOF FINISH TO BE MARLEY PLAIN CONCRETE INTERLOCKING TILES OR SIMILAR APPROVED TO L.A PLANNING OFFICERS SATISFACTION



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 BB1 3BL  
 TEL| 01254 693922

CLIENT	MR AZIMY
DRAWING TITLE	PROPOSED ELEVATIONS

PROJECT TITLE	DEMOLITION OF EXISTING BUNGALOW & PROPOSED REPLACEMENT DWELLING
AT:	22 COCKEY MOOR ROAD, BURY, BL8 2HB

DRAWING STATUS		PLANNING DRAWING FOR APPROVAL
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SCALE	1:100 @ A1	DWG No.
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