

**BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES**

PLANNING CONTROL COMMITTEE

21 November 2006

SUPPLEMENTARY INFORMATION

Item:01 LAND AT THE ROCK AND ROCHDALE ROAD, (KNOWN AS THE ROCK TRIANGLE), BURY Application No. 46702

RESERVED MATTERS APPLICATION - MIXED USE DEVELOPMENT COMPRISING SHOPPING; FOOD AND DRINK WITHIN THE A1,A2,A3,A4 AND A5 USE CLASSES; 197 RESIDENTIAL APARTMENTS (USE CLASS C3); ASSEMBLY AND LEISURE USES WITHIN D2 USE CLASS; MULTI STOREY AND OTHER CAR PARKING; NEW STREETS; HIGHWAYS AND OTHER MEANS OF ACCESS AND CIRCULATION; AND OTHER ASSOCIATED WORKS AND FACILITIES

The recommendation is amended to minded to approve subject to a s106 Agreement concerning affordable housing. All the matters relating to the outline conditions are now being programmed.

A letter has been received on behalf of the applicant explaining how specific infrastructure for cyclists has been incorporated in the design of the scheme and surrounding road works which would render the site highly accessible for cyclists. This includes:

- Extra wide traffic lanes to accommodate cyclists on the link road and Rochdale Road.
- Cycle Lanes and advanced stoplines at traffic signals.
- Toucan crossings (crossings which allow cyclists to cross) on the link road and Rochdale Road.
- Cycle parking at a number of locations around the development including close to the toucan crossings.

The letter goes on to say that, in recognition of the suggestion that as part of the Council's cycling strategy cyclists should be permitted to use the pedestrianised Rock, the proposals have been designed to enable such use by cyclists but it would be a decision for the Council as to whether such use of The Rock by cyclists will be permitted. That, it is stated, is not an issue for which approval is being sought as part of the current application.

It is recommended that condition 3 should be deleted because the pedestrian routes within the development, other than The Rock, would be private thoroughfares and the Council rather than the applicant would be in a position to decide the status of cycling along the pedestrianised Rock. Furthermore, the precise design and location of cycle stands is subject to further approval under condition 15 of the outline permission. Accordingly, condition 4 should be renumbered 3.

Add the following highways conditions:

4. Notwithstanding the details indicated on the approved plans, no doors to any part of the development shall open outwards onto the adopted highway.

Reason: To ensure good highway design in the interests of pedestrian safety and compliance with Section 153 of the Highways Act 1980.

5. The visibility splays and pedestrian visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the relevant part of the development is brought into use and they shall subsequently be maintained free of obstruction above the height of 0.6 metres.

Reason: To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.

6. The turning and servicing facilities indicated on the approved plans shall be provided before the relevant part of the development is brought into use. The service yard areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason: To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety.

7. The multi-storey car park indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to any part of the development hereby approved becoming occupied.

Reason: To make adequate provision for parking and to protect the vitality and viability of the town centre.

8. The residential development within Block B shall not be first occupied unless and until the car parking that is integral to that block as indicated on the approved plans has been surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority.

Reason: To make adequate provision for parking and to protect the vitality and viability of the town centre.

Item:02 LABURNUM HOUSE, WELLS STREET, BURY, BL9 0TU Application No. 46946

CONSERVATORY EXTENSION AND CONVERSION OF LOFT TO PROVIDE 5 EXTRA BEDROOMS INCORPORATING FRONT AND REAR DORMERS

Nothing further to report.

Item:03 36 TOTTINGTON ROAD, BURY, BL8 1LL Application No. 47030
CHANGE OF USE FROM DISUSED HUT TO PRIVATE HIRE BOOKING OFFICE

Nothing further to report.

Item:04 18 TAMWORTH DRIVE, BURY, BL8 1DP Application No. 47049
CHANGE OF USE OF DOMESTIC SINGLE STOREY GARAGE TO DOG GROOMING/DOG CARE PARLOUR WITH NEW PEDESTRIAN ACCESS TO PARLOUR

Nothing further to report.

Item:05 BLEAKLOW MILL, BOLTON ROAD, HAWKSHAW, BL8 4LL Application No. 46550
PART DEMOLITION AND CONVERSION OF MILL INTO 24 RESIDENTIAL UNITS

This application was requested to be deferred from the October 25th Planning Committee in order for amendments to be submitted namely the deletion of the front entrance foyer, landscaping details to be finalised and to allow further survey work to be carried out following the discovery of a bat roost within the building.

A method statement has been submitted by Ecology Services UK Ltd, which builds

upon the last submitted report approved under the outline planning permission. The method statement acknowledges that the site benefits from outline planning permission and thus its purpose is to identify appropriate levels of mitigation and safeguards to deal with the impact upon bats.

The report identifies that the impact upon bats would be severe as the proposals would result in the loss of a roost. However, with appropriate programming, continual involvement of a licensed ecologist, management during works and the installation of alternative roosts these measures would ensure appropriate levels of care would be demonstrated to limit impact upon bats. As such it is recommended that any granting of the reserved matters be conditioned to require the development to be carried out in accordance an approved method statement, which will need ratification from DEFRA and Natural England as part of the consideration by this body licence works to be carried out.

Add condition 15:

The development shall be carried out in accordance with a Method Statement relating to development and the preservation of bats which shall be submitted to and approved in writing by the Local Planning Authority. All methods of bat mitigation shall be submitted to and approved in writing and these measures shall be implemented in full as part of an approved schedule detailing timetabling, methodology and approved locations of mitigation.

Reason - To provide an appropriate level of protection for bats during and after the implementation of the development pursuant to PPS9 - Biodiversity and Geological Conservation.

Landscaping - Amend Condition 9 to include reference to the latest upto date landscaping proposals.

The landscaping scheme hereby approved on drawing 1525/01 shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Item:06 446A BURY OLD ROAD, PRESTWICH, M25 1PQ Application No. 46964
CHANGE OF USE FROM RESIDENTIAL TO OFFICES, SMALL SIDE EXTENSION & PARKING

Two additional letters of representation has been received from 206A and 208 Heywood Road with the following extra comments:

- At least three mature trees were felled in the summer on the site of the proposed car park. (*N.B. These trees were not covered by a Tree Preservation Order and were felled prior to receipt of any planning application*)
- The area marked 'existing carpark' in front of 446B is not and never has been a car park.
- The proposed new access from Bury New Road constitutes a major hazard for both pedestrians and vehicles.
- The proposed commercial unit does not serve the immediate community to any extent.

Item:07 PRESTWICH PHARMACY, 15 FAIRFAX ROAD, PRESTWICH Application No. 46902
CHANGE OF USE FROM TEMPORARY PHARMACY (A1) TO D1 MEDICAL CONSULTING ROOMS (TEMPORARY CONSENT)

Nothing further to report.

Item:08 44 RECTORY LANE, PRESTWICH, M25 1BL Application No. 46932
CHANGE OF USE FROM DOCTOR'S SURGERY (CLASS D1) TO FUNERAL PARLOUR (CLASS A1). SINGLE STOREY REAR EXTENSION.

Publicity - A further letter of objection has been received from 2 The Drive and the objections can be summarised as follows:

- Use is not suitable to a residential area
- It is contrary to the local planning strategy
- Increase in traffic will be detrimental to highway safety
- Other sites are available for such a use in the area
- There will be 2 funeral parlors in Rectory Lane
- There is no commercial justification for the parlour
- Operating times are unrealistic
- No local support
- The use may result in the loss of a tree which has a TPO

These issues have been covered in the main report and there are no additional comments.

A letter of support has been received from Farther John Anthony of the Greek Orthodox Church and can be summarised as follows:

- The proposal would be ideally located
- The activities would be no more intrusive than those of the doctor's surgery that existed previously

The applicant's agent has stated that the hours of operation of the funeral parlour will be restricted to 0900 to 1800 hours Monday to Friday only. Consequently Condition 4 has been amended to read:

The use and ancilliary activities shall only be carried out between 0900 and 1800 hours Monday to Friday and not at all at weekends.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies H3/1 – Assessing Non-Conforming Uses and S2/1 - All New Retail proposal: Assessment Criteria and EC4/1 - Small Businesses.

Item:09 SANDFORD STREET, RADCLIFFE Application No. 47038
THREE AND FOUR STOREY APARTMENT BLOCK OF 8 UNITS

The scheme has been amended following further consultation with G M Police. The scheme has incorporated more windows to the corridors on the Potter Street elevation to provide greater animation to this facade and to promote greater levels of natural surveillance.

Railings have been added to the Potter Street side of the car park area to provide a protected enclosure in this area. The main entrance of the development still would be un gated thus not to promote an inclusive design. The curtilage of the site would be by

a 600mm high wall to provide a defined curtilage.

G M Police were also concerned about the potential to disturb the occupants of the accommodation on the Potter Street/Church Street East end of the development. The police are concerned that the ground floor window would be too close to the public realm and could be a source of conflict. This has been resolved by repositioning the window and ensuring landscaping would be placed to deter standing in this area. The police are still concerned about disturbance to the residents of the ground floor flat having an external wall hard up to the street, where footballs hitting the wall could create amenity problems. It is considered that the proposals are not unusual or unreasonable in this regard and would not justify a refusal on this matter alone. The scheme has responded as far as it can to the concerns of the police and is considered to be a satisfactory solution to the development of the site.

Revised siting and layout plans have been included within the supplementary agenda.

Environmental Health - Comments have been received from this section to ensure that the residential accommodation could satisfactorily co-exist with the industrial premises across Potter Street.

Amend condition 8 to read:

The residential accommodation hereby approved shall include a scheme that provides:

- a forced ventilation scheme to the corridor areas within the development;
- non-openable widow specification for the Potter Street elevation; and
- acoustic treatment to the forced vent scheme and it's associated inlets.

The proposed scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before use of the residential premises first commences.

Reason. To protect the amenity of the occupants of the premises from neighbouring industrial use once the development hereby approved is occupied.

Amend Condition 11 to include the amended plans responding to the Police and Environmental Health concerns.

11. This decision relates to drawings numbered 702/PL/01, 02B, 03C, 04C and Design & Access Statement received 16/11/06 and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed within this report.

Traffic - A recommendation of no objections has been received from the Traffic Section. Conditions are requested and should be attached to any planning permission.

12. The development hereby approved shall not be first occupied unless and until the highway improvements in the form of the refurbishment of the adopted footways around the perimeter of the site, including the widening of the westerly Sandford Street footway, indicated on approved plan reference 702/PL/02 Rev B have been implemented to the written satisfaction of the Local Planning Authority.

Reason - To ensure good highway design in the interests of highway safety pursuant to UDP Policy H2/2 – The Layout of New Residential Development.

13. The visibility splays indicated on approved plan reference 702/PL/05 shall be

implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

Reason - To ensure good highway design in the interests of highway safety pursuant to UDP Policy H2/2 – The Layout of New Residential Development.

14. A forward visibility envelope appropriate for a speed of 15 mph shall be provided at the Sandford Street/Church Street East junction before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m.

Reason - To ensure good highway design in the interests of highway safety pursuant to UDP Policy H2/2 – The Layout of New Residential Development.

Item:10 THE SPARKING CLOG, RADCLIFFE MOOR ROAD, RADCLIFFE, M26 3WY
Application No. 46989
SINGLE STOREY ALL WEATHER GARDEN

The objector at No.4 Radcliffe Moor Road has indicated that the condition attached to any approval, restricting the use of the garden shelter to 11pm is satisfactory.

Item:11 CAMS LANE PRIMARY SCHOOL, CAMS LANE, RADCLIFFE, M26 3SW
Application No. 47059
BOUNDARY SECURITY FENCING

Publicity - any further comments will be reported as an email has been received from 66 Dean Street requesting a copy of the original petition. The objectors to the previous applications have been advised of the Planning Control Committee Meeting and that they can make representations if they wish..

Consultations - Highways Team - No objections.