

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

23 January 2007

SUPPLEMENTARY INFORMATION

Item:01 LAND OFF KNOWSLEY STREET, TOWNSIDE - PHASE 1A, BURY

Application No. 47200

MIXED USE DEVELOPMENT -

1. FULL PLANNING PERMISSION FOR BUILDING 1 FOR OCCUPATION BY PRIMARY CARE TRUST (COMPRISING CLASS B1 BUSINESS, HEALTH CONSULTANCY USES AND ANCILLARY PHARMACY) AND/OR CLASS B1 BUSINESS;
2. FULL PLANNING PERMISSION FOR BUILDING 2 FOR CLASS B1 BUSINESS (INTENDED FOR OCCUPATION BY BURY MBC) TOGETHER WITH A 670 M2 UNIT FOR CLASS A1 TO A4 USES AT THE LOWER GROUND FLOOR LEVEL;
3. OUTLINE PLANNING PERMISSION FOR BUILDINGS 3 AND 4 FOR CLASS B1 BUSINESS AND/OR CLASS C1 HOTEL PURPOSES; AND
4. ASSOCIATED CAR PARKING (FULL PLANNING PERMISSION), LANDSCAPING (OUTLINE PLANNING PERMISSION) AND OTHER WORKS (OUTLINE PLANNING PERMISSION).

The following points have been received since the original application report.

GMPTE - The site is very well located in relation to public transport nodes. Therefore users and employees of the the offices/uses within the site would have a choice of access options to the site. The level crossing of the Metrolink line is welcomed. Trackside maintenance should be maintained by Metrolink and a condition is requested to ensure that measures are imposed to prevent materials falling onto the line from the development site. Future landscaping proposals for the embankment should be carefully considered to ensure that there is no leaves falling onto the line. The users of the site should take maximum opportunity of the sustainable location and maintain and develop the Green Travel Plan accompanying the proposals. The PTE also request that any grant of planning permission include a condition to ensure that safety measures are incorporated along the south easterly boundary to prevent any materials from construction from falling onto the site.

Environment Agency and flood risk - The development incorporates an appropriate drainage scheme, which has been passed onto the agency for comment. The Environment Agency have confirmed that on the basis of the information submitted there is **no objection** to the proposals in terms of flood risk. They do request that any a planning permission includes a condition ensuring the provision and implementation of the surface water regulation scheme in accordance with approved details. They also confirm the need for conditions to appropriately deal with land contamination, which have already been attached to the recommendation.

Environmental Health - Pollution Control recommend that a planning condition be imposed to ensure that the development does not exacerbate air quality management objectives in the locality of the site. This can be achieved through the requirements of the travel plan condition, where continual monitoring is required, results need to be submitted to the Local Planning Authority of an rolling basis, mitigation methods re-assessed and implemented.

Highways - There are no objection to the proposals in terms of highway considerations. The Highways team do suggest that a number of planning conditions be imposed relating to detailed highway works, the implementation of surfacing and cycling provision, servicing provision implementation, no doors to open outwardly over a highway and to keep the surrounding roads free from mud during construction. Other conditions relate to the outline planning elements to ensure that cycle parking is

provided, travel plans are submitted, access and egress to the remaining part of the site is achieved in an appropriate way.

Greater Manchester Archaeology Unit - No objections to the scheme. However, there is potential for the remains of the former Knowsley Street railway and platform to still be evident within the site. Therefore a planning condition requiring a scheme of archaeological work should be undertaken and this methodology should be approved by the Local Planning Authority in consultation with the Archaeological Unit.

Given the above the following conditions should be attached to any planning permission:

Full Planning Permission

1. No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

Reason - To reduce the increased risk of flooding pursuant to PPS25 - Development and Flood Risk.

2. Prior to the commencement, details shall be submitted to the Local Planning Authority concerning measures to be taken to prevent materials from construction activities from entering into the Metrolink corridor. The measures shall be implemented in accordance with the approved details prior to commencement of development and remain in situ during the construction/development of the site.

Reason – To secure the public safety of the transport corridor adjoining the site.

Amend Condition 3 on the original recommendation relating to specified plans to include the following plans and reports:

3. Additional plans and reports - drawing number 36697/D/SK001 from Faber Maunsell and the content of section 3 of Clancy Consulting report 7/1636; Townside Fields, Bury. Geo-Environmental Interpretative Report. Volume 1 and Volume 2. Faber Maunsell, December 2005

4. No development shall take place within the proposal area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason - To make a record of archaeological remains for archive, research and presentation purposes pursuant to PPG16 - Archaeology.

5. Notwithstanding the highway improvement works indicated on the approved plans, (unless otherwise agreed in writing by the Local Planning Authority) the development hereby approved shall not be commenced unless and until full details of the provision, improvement or modification of the following have been submitted to and approved in writing by the Local Planning Authority.

- Angouleme Way/Knowsley Street/Haymarket Street signalised junction;
- Angouleme Way subway approach ramps and retaining structures;
- Angouleme Way subway extension and replacement street-level footway;
- Knowsley Street westerly footway including development accesses and parking/drop-off lay-by's;

- Knowsley Street 'surface improvement works'.

The highway works subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use.

Reason - To ensure good highway design in the interests of road safety pursuant to UDP Policy EN1/2 - Townscape and Built Design.

6. The car and staff cycle parking 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 the development hereby approved being brought into use.
Reason - To ensure adequate off-street car and cycle parking provision in the interests of road safety pursuant to UDP Policy EN1/2 - Townscape and Built Design.

7. The development hereby approved shall not be commenced unless and until a scheme for visitor cycle parking has been submitted to and approved by the Local shall be implemented before each phase is brought into use or first occupied and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason - In order to deliver sustainable transport objectives in accordance with PPG13 - Transport by making adequate provision for visitor cycle parking.

8. The development hereby approved shall not be brought into use unless and until the shower, changing, locker facilities and staff cycle parking indicated on the approved plans and outlined in the submitted Framework Travel Plan have been implemented to the written satisfaction of the Local Planning Authority.
Reason - To secure the aims and objectives of PPS1 – Delivering Sustainable Development.

9. The visibility splays indicated on approved plan reference M/P/204628/SK30 Rev A in the submitted Transport Assessment 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, unless otherwise agreed in writing by the Local Planning Authority.
Reason - To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to UDP Policy EN1/2 - Townscape and Built Design.

10. Pedestrian visibility splays in accordance with Figure 114 of Design Bulletin 32 'Residential Roads and Footpaths – 2nd Edition' shall be provided at the junction of the proposed service courtyard with Knowsley Street before the development hereby approved is brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m.
Reason - To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to UDP Policy EN1/2 - Townscape and Built Design.

11. The turning and servicing facilities indicated on the approved plans shall be provided before the development is brought into use. The service yard area 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 pursuant to UDP Policy EN1/2 - Townscape and Built Design.

Amend condition 12 on the report to read:

12. Notwithstanding the submitted Travel Plan Framework, a full Travel Plan Strategy including an Air Quality Impact Assessment for the site shall be submitted to and approved in writing by the Local Planning Authority within 12 months of first occupation.

The Air Quality Impact Assessment must describe the impact of the development on national and European air quality objectives and must outline all necessary measures to reduce and mitigate these impacts. These measures must be approved and implemented within a timescale agreed with the LPA. In assessing the impact of this development the cumulative effects of other unrelated developments within the vicinity of the town centre must also be considered.

The Travel Plan Strategy shall outline measures that the developer and occupants of the site will adopt to meet the targets of the site's Travel Plan. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of annual monitoring will be submitted to the LPA in writing along with information on the measures which have been identified to improve the effectiveness of the site's Travel Plan.

Reason – To secure the aims and objectives of PPS1 – Delivering Sustainable Development.

13. The foundations for any part of the proposed development shall not encroach under the adjacent existing or future adopted highways at any point.

Reason - To ensure good highway design and to maintain the integrity of the adopted highway pursuant to UDP Policy EN1/2 - Townscape and Built Design.

14. Notwithstanding the details indicated on the approved plans, no doors to any part of the development shall open outwards onto the existing or future adopted highways.

Reason To ensure good highway design in the interests of pedestrian safety, compliance with Section 153 of the Highways Act 1980 pursuant to UDP Policy EN1/2 - Townscape and Built Design.

15. Before each phase of the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction of that phase unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to UDP Policy EN1/2 - Townscape and Built Design.

16. Notwithstanding the provisions of the approved plans (20149 (20)001, 002, 003 and 004 - relating to the Bury MBC building, details relating to the roof upstand, its design, height and materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.

Reason - To secure the satisfactory development of the site and pursuant to UDP Policy EN1/2 - Townscape and Built Design.

Outline Planning Permission

1. On or before submission of the first reserved matters application, a scheme for visitor cycle parking shall be submitted to and approved by the Local Planning Authority. Before each phase of the development is commenced a detailed scheme thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order to deliver sustainable transport objectives in accordance with PPG13 - Transport by making adequate provision for visitor cycle parking.

2. On or before submission of the first reserved matters application, a Framework public transport. The scheme shall also establish the developer and occupier travel plan objectives along with targets and an implementation programme.

Reason - In order to deliver sustainable transport objectives in accordance with PPG13 - Transport.

3. Provision shall be made within the site to the written satisfaction of the Local Planning Authority to enable service vehicles to enter and leave the site in forward gear, and shall subsequently be maintained free of obstruction.

Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety pursuant to UDP Policy EN1/2 - Townscape and Built Design.

Item:02 FAIRWAYS LODGE AND LEISURE CLUB, GEORGE STREET, PRESTWICH, M25 9WS Application No. 46993
CONVERSION WORK TO EXISTING HOTEL WITH 44 BEDROOMS AND FITNESS AND SPORT CENTRE TO FORM 102 BEDROOM HOTEL WITHOUT SPORTS AND FITNESS FACILITIES

The following points have been received since the original application report.

Highways Section - Do not wish to restrict the granting of planning permission. This recommendation is made on the understanding that the conversion of the existing leisure facilities to form additional bedrooms does not in itself require planning permission and that consent is only required for the ancillary alterations to the building.

Publicity - A further three letters have been received from the occupiers of 48 George Street and Eagles Nest, Butterstile Lane, Prestwich, which have raised the following points:

- Objection to the loss of the leisure facilities, especially as there are no Council owned facilities in the area.

A potential increase in noise to the detriment of residential amenity.

Policy RT1/1 (Protection of recreation provision in the urban area) states that development would not be allowed where it would result in the loss of existing outdoor recreation facilities, as defined by the proposals map, indoor facilities for which there is an recreational need and any other identified recreation provision, such as playing fields, sports grounds and any sites created during the period of the plan. Exceptions to this policy may include the alternative provision of recreation facilities and where it can be demonstrated that there is an excess of sports pitch provision, taking into account the recreation and amenity value of such provision.

It is noted that the proposed development would result in the loss of indoor recreational facilities. However, it is considered that Policy RT1/1 refers to independent indoor recreation provision. As the proposed development would result in the conversion of indoor recreation facilities, which are ancillary to the hotel, it is accepted that the proposal is not contrary to Policy RT1/1 of the adopted Unitary Development Plan.

Traffic generation - Additional information in the form of a letter has been received from the applicant in relation to the traffic flows. The initial traffic survey was undertaken on 29th August 2006 and measured the level of traffic generated by the existing bedrooms (41) on site, which would have resulted in a 2% increase in the number of vehicles accessing the site. As the surveyed traffic flows did not take into account the existing leisure centre use, the net changes in flow were overestimated. Taking into account the existing leisure centre use and comparing it with the proposed use, there would be no change in two-way traffic flows during the AM peak hour and a reduction in two-way traffic flows of 42 vehicles during the PM peak. Therefore, the proposed development would have a beneficial impact upon the way in which the Bury New Road/George Street junction operates during the PM peak period.

The following condition should be placed on any consent granted in addition to those detailed in the officer report:

This decision relates to drawings numbered 7893, 7983/01, 7983/02A, 7983/03A, 7983/04, 7983/05, 7983/07B, 7983/20B, 7983/21B, 7983/22A, 7983/25, 7983/26 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 below.
Policy EN1/2 - Townscape & Built Design

Item:03 FORMER RAILWAY TRACK, OFF AINSWORTH ROAD, RADCLIFFE

Application No. 47277

RESERVED MATTERS APPLICATION FOR 8 NO. APARTMENTS

Landscaping Plan: A revised landscaping plan has been submitted. The revised plan includes more appropriate native species of trees, shrubs and boundary hedging and as such is considered to be acceptable. Condition No.9 has been amended to reflect this revised plan and is set out below.

The landscaping scheme to form part of the development shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building 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.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

Item:04 GOLLINROD FARM, MANCHESTER ROAD, BURY, BL9 5NB Application

No. 46908

CHANGE OF USE FROM FARM WORKSHOP TO INCLUDE REPAIR OF CRANES
(RETROSPECTIVE APPLICATION)

Nothing further to report.

Item:05 UNIT 1, HOPE MILL, WHALLEY ROAD, SHUTTLEWORTH, RAMSBOTTOM, BL0 0ES Application No. 47085
CONSERVATORY SHOWROOM AT FRONT

Nothing further to report.

Item:06 321 TURTON ROAD, TOTTINGTON, BL8 3QG Application No. 47181
RETROSPECTIVE CONSENT TO ERECT BUILDING FOR USE AS STORE/HOBBY
WORKSHOP ANCILLARY TO MAIN DWELLING

Further representations for applicant.

A letter and photographs have been received from the applicant stating that land upon which the workshop is placed had been domestic curtilage for the original farm at Holcombe Villa Farm, as it had been laid down as a hard standing. The photographs show the previous building on the site but no firm evidence has been provided that the land had in fact been domestic curtilage and has an established use for that purpose. The letter also states that the previous agent had not been entirely correct in his statements about the land use, but no evidence has been submitted to support that assertion.

Consequently, having reviewed that recommendation there is still insufficient information to show that the land upon which the workshop is placed is residential curtilage and as such the recommendation for refusal stands.

Item:07 CHURCH INN, 266 BURY NEW ROAD, WHITEFIELD, M45 8QS
Application No. 46840
LISTED BUILDING CONSENT FOR DEMOLITION OF PUBLIC HOUSE

Following their consideration of the submitted options report additional views have been received from English Heritage, the Georgian Group, The Victorian Society and the Council for British Archaeology. These are summarised as follows:

English Heritage

Following specialist advice they have received from independent highway consultants English Heritage do not consider that the proposal for road widening justifies the proposal to demolish the Church Inn and recommend refusal of the application unless further justification for this element of the development is provided.

It would appear, they state, that Bury New Road is being widened not so much to increase its southbound capacity but to allow for the widening of the northbound carriageway to two full lanes, whilst additional capacity is required in Stanley Road because it will be the main exit for development traffic on to the main A56.

On the basis of its consultant's advice English Heritage believe that there is no quantitative evidence in the original transport assessment to suggest that demolition of the Church Inn is a requirement for the implementation of the QBC. Nor, they state, is it possible based on the TA to argue that demolition of the Church Inn is necessary for improvements required to ensure that the highway network can function satisfactorily with the proposed development.

Thus, they state, whilst the TA provides no justification for demolition in connection with the implementation of the QBC, the contention that demolition is necessary in connection with the development itself is open to doubt. In order to minimise that doubt English Heritage recommend that the developer should be asked to commission a set of TRANSYT model runs to assess whether the proposed improvements to Bury New Road and the Bury New Road/Stanley Road junction are fully justified, taken separately and together. They recommend also that these assessments are carried out before a decision is taken on the listed building consent application. If the applicants are unwilling to provide this additional information then the application should be refused.

The Georgian Group

In the light of new information provided in a TRL highways assessment they do not feel that adequate justification is now available to warrant the demolition of the historic building. They, therefore, urge that the application should be rejected in its current form. They also request that the Council should pursue appropriate measures in the light of the unlawful removal of historic fireplaces from the listed building following its closure.

The Victorian Society

They point out that statutory guidance in PPG 15 reflects 'the great importance to society of protecting listed buildings from unnecessary demolition' and aims to ensure that consent is only granted in very exceptional circumstances, and only then against a series of strict criteria. Whilst the progress of redevelopment has been complicated by the spot listing there are, nevertheless, no legislative grounds for lowering the standard of justification to permit the demolition of the listed building. In this case, they add, there is insufficient evidence to demonstrate that very exceptional circumstances exist and that the conditions regarding 'substantial community benefit' have been met. The society has seen nothing to suggest that any benefit resulting from demolition could not be achieved without the loss of the listed building, and in the absence of this information, they contend that any consent for the application would be contrary to both national and local planning policy as outlined in PPG15 and UDP policies EN1, EN2 and EN2/3. They, therefore, recommend that consent be refused.

Council for British Archaeology

They now understand that new research carried out in a TRL highways assessment suggests that there is no quantitative evidence that the demolition is a requirement for the QBC and that assessment of the needs for the new development are more complex than initially understood. They are aware that further research is warranted and will take it into account but, on the current evidence, they do not believe that the demolition has been fully justified and they restate their previously submitted firm objection.

Following the loss of two fireplaces and damage to another CBA also ask that the Council should stress the need for security measures.

Copies of these latest letters from the above amenity societies are attached.

