

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

18 March 2008

SUPPLEMENTARY INFORMATION

Item:01 LOCOMOTIVE WORKS, BARON STREET, BURY, BL9 0TY Application No. 49349

DELETION OF CONDITION 10 OF PLANNING PERMISSION ref. 48268 THAT LIMITS THE HOURS FOR THE IMPORTATION OF MATERIALS TO CARRY OUT AN ENGINEERED FILL OPERATION PRIOR TO ACCOMMODATING NEW TRACK INFRASTRUCTURE.

East Lancashire Railway has further clarified its difficulties in terms of complying with the condition in the following statement:

“In our current discussions with Network Rail (NR), they have emphasised the requirement for any trains, containing material that they may send to Bury under a materials transfer contract, to be unloaded and the empty wagons made available to be returned to NR within 6 hrs. Therefore the ELLR would have to respond to the train paths that NR have allocated and ensure that the trains were received at Hopwood junction and transferred to Baron Street in a timely manner and then immediately unloaded.

Our experience from operating the Carillion contract for the Metrolink TRC was that, despite meticulous planning by the Carillion train planners, invariably trains became delayed for a whole host of NR operational reasons, and the ELLR had to respond on a 24 hr 7 day per week basis to trains arriving at Hopwood Junction.”

In terms of The Masterplan for the Regional Heritage Railway Centre this is, as yet, a draft and open to change. The details within The Masterplan are being developed on the basis of partnership working and the matter is the subject of monthly meetings involving Council Officers and ELR.

The condition that is the subject of the application restricts the hours of operation for **both** the working on site and the associated rail movements. The difficulty with the condition being faced by East Lancashire Railway is related solely to their inability to fully control the timing of the rail movements to ensure compliance and does not relate to the site working activity. Thus, it would still, in the view of officers, cover ELR's concerns if the condition were to be amended to apply **solely to site working** and thus the timing of the associated rail movements would not be restricted. Therefore, the recommendation is amended to:

Approve with Conditions.

Insert condition 10 to read:

Working on the site, excluding the associated rail movements involving the delivery of materials and the departure movements, shall not take place outside the following hours: 0700 hours to 1800 hours on Monday to Friday, 0700 to 1300 hours on Saturdays and there shall be no such working on Sundays or public bank holidays.

Reason: In order to protect the amenities of the area.

Condition 10 in the original recommendation to become Condition 9

Item:02 5 CROMPTON STREET, BURY, BL9 0AD Application No. 49406
CHANGE OF USE FROM FORMER POST OFFICE TO A LICENSED FOOD AND DRINK OPERATION (CLASS A4) (ALTERNATIVE SCHEME TO REF 49341 - INCLUDES AN EXTERNAL AREA)

Nothing further to report.

Item:03 190 CHESHAM ROAD, BURY, BL9 6HA Application No. 49321
CHANGE OF USE OF 190 CHESHAM ROAD FROM RESIDENTIAL CHILDREN'S HOME (C2) TO NON-RESIDENTIAL PUPIL REFERRAL UNIT (D1); PROVISION OF CAR PARKING INCLUDING DEVELOPMENT OF ADJACENT OPEN LAND AS PART OF CAR PARK; 3M WIRE MESH BOUNDARY FENCING ; ASSOCIATED LANDSCAPING AND ACCESS TO HIGHWAY.

Nothing further to report.

Item:04 456 - 462 BURY OLD ROAD, PRESTWICH, M25 1NL Application No. 49441
VARIATION OF CONDITION 4 OF PLANNING PERMISSION 47753 TO ALLOW RETAIL UNIT TO TRADE BETWEEN 0600 HOURS AND 2300 HOURS, SEVEN DAYS PER WEEK.

Site & Description

The opening hours of each retail unit vary. However, the newsagents is open from 06:15 till 19:00 on a daily basis and the off licence is open from 09:00 until 22:00 on a daily basis. In addition, the hot food takeaways within the shopping centre are open until 23:30 on Sundays to Thursdays and until midnight on Fridays and Saturdays.

Members are advised that a retail store (TESCO) of approximately the same size, was recently approved (September 2006) on Tottington Road, which is also located within a local shopping centre. The hours of opening was not restricted by planning conditions but the hours for deliveries was restricted to between 08:00 to 20:00 on a daily basis, as the deliveries would take place in close proximity to residential properties.

Item:05 1 ST MARY'S ROAD, PRESTWICH, M25 5AQ Application No. 48896
USE OF ONE ROOM IN A DWELLING AS AN OFFICE (CLASS B1) - RETROSPECTIVE APPLICATION

Nothing further to report

Item:06 TESCO STORES LTD, VALLEY PARK ROAD, PRESTWICH, M25 3TG Application No. 49526
Proposed erection of one 10.6m high wind turbine for a period of 15 years.

Two further letters of representation have been received from the flats at Oakbank, 516 Bury New Road which raise the additional issue:

- Could the wind turbine be moved to the rear of Tesco's land to make it

less intrusive.

Comments on additional Representations - The application is for the position as identified and has to deal with as submitted.

Item:07 ST JOHNS COURT, RADCLIFFE NEW ROAD, BURY Application No. 49410
ERECTION OF NEW BOUNDARY FENCING

Nothing further to report

Item:08 2 BOLTON STREET, RAMSBOTTOM BL0 9HX Application No. 49490
CHANGE OF USE OF (D1) EDUCATION CENTRE TO (A1) RETAIL UNIT ON GROUND FLOOR AND (A3) CAFE ON FIRST FLOOR

Nothing further to report.

Item:09 PHOENIX BUILDINGS, 100 BRIERLEY STREET, BURY, BL9 9HN
Application No. 49506
RENOVATION OF INDUSTRIAL PREMISES TO FORM 5 UNITS (CLASSES B1, B2 & B8) AND 9 OFFICE UNITS (CLASSES A2 & B1), INCLUDING ALTERATIONS TO ELEVATIONS. DEMOLITION & ERECTION OF NEW BOUNDARY WALL.

Consultations

Highways Team - No objections to the proposal subject to the inclusion of conditions relating to demarcation of the car park and the provision of turning facilities.

BADDAC - Seek further details of the ramped access and particularly the handrails. Suggest providing bollards to protect ramp users from vehicles in the car park.

Issues & Analysis

A revised plan has been submitted indicating that the first floor windows on the western elevation will be high level windows, which would reduce the potential to overlook in to the gardens of Moss Place.

Therefore, additional conditions should be imposed relating to servicing, parking provision and access for disabled persons and Condition 2 should be amended:

2. This decision relates to drawings numbered 01/1, 01/2, 001/A, 002/A, E101, E0002; the revised site plan received on 4 March 2008 and the revised elevation plan received on 18 March 2008 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.

15. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and 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 road safety.

16. The car 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 parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

17. Any foundations that are required for the proposed boundary wall alterations on Brierley Street and the adjacent un-named side street shall not encroach under the adjacent adopted highways at any point.

Reason. To ensure good highway design and to maintain the integrity of the adopted highway.

18. Prior to the commencement of the development, details of the ramped access, including handrails, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the building being brought into use.

Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies HT5/1 – Access for Those with Special Needs of the Bury Unitary Development Plan.

**Item:10 UNSWORTH POST OFFICE, 73 PARR LANE, UNSWORTH, BURY, BL9
8JR Application No. 49534
PROPOSED INSTALLATION OF EXTERNAL ATM INTO RETAIL UNIT FRONTAGE**

CCTV provsion and marking of the footpath. The applicant has indicated that they are happy to comply with the conditions for the installation of the CCTV and highway markings as proposed.

However, comments have now been received from the Highways Team that they are not in favour of markings being provided on relatively narrow pavements. As such they will not give permission for the markings and it is therefore recommended that condition 4 be deleted as the applicant will not be able to provide the markings.