

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

20 May 2008

SUPPLEMENTARY INFORMATION

Item:01 LAND BOUNDED BY FOUNDRY STREET, LORD STREET AND SOUTH CROSS STREET, BURY Application No. 49672
ERECTION OF 66,510 SQUARE FOOT / 6179 SQUARE METERS NON-FOOD RETAIL UNITS WITH CAR PARKING AND SERVICING

Additional Comments

A response has been received from Thornfield, the developers of The Rock Triangle site. They say that they are disappointed that a 'shed type' scheme is being recommended for approval as the development, they feel, would compete with the town centre. However, if planning permission is granted, then the floorspace should be limited as applied for.

Additionally, Thornfield's planning consultant has suggested changing planning condition 13 to state what can be sold from the site rather than what can not be sold from the site.

Response - The issues raised by Thornfield have been dealt with by conditions 13, 14 and 15. However for the avoidance of doubt it is considered that the following goods are added to condition 13 that cannot be sold from the premises:

- food and drink
- cosmetics
- health care and
- beauty products.
- music, records, cds, dvds or any other entertainment media

Amend condition 13 to read:

Goods in the following categories may not be sold from the retail units hereby approved unless otherwise agreed in writing with the Local Planning Authority:

- Food and drink
- Clothing (unless protective or other specialist wear directly related to the range of goods sold within the retail unit)
- Footwear (unless protective or other specialist wear directly related to the range of goods sold within the retail unit)
- Leather and travel goods
- Jewellery
- Toys
- Sports goods and equipment
- Books (unless reference or instruction manuals directly related to the range of goods sold within the retail unit)
- Cosmetics
- Health care
- Beauty products
- Music/records/cd's/dvd's

Reason - In the interests of the vitality and viability of the town centre uses and pursuant to the provisions of PPS6 - Planning for Town Centres.

Amend condition 12 to read:

The car, motorcycle & cycle parking indicated on the approved plans 7600:- 01A, 10D, 12B, 09G, E08C, DR01 S1, Transport Assessment submitted 12 March 2008 TA plans 1, 2, 5 and 6; Transport Assessment Plans 3 and 4 as amended by 3-7600-09E

(tracking plots N7116-01 and 02); 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.

Consultee Responses

A response has been received from the Traffic team. They recommend adding the following conditions:

16 - Notwithstanding the details indicated on the approved plans, the development hereby approved shall not be commenced unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Revised car park layout and boundary treatment at the Foundry Street/South Cross Street corner of the site to reflect the correct limits of the existing adopted highway at this point;
- Position and reinstatement to adjacent footway materials and levels of all redundant vehicular accesses onto Foundry Street, South Cross Street and Lord Street;
- Foundations for the proposed buildings, boundary walls and anti ram raid bollards outside the limits of the existing adopted highways;
- Footway and access improvements around the perimeter of the site including the provision of a minimum 2m wide footway on the Foundry Street site frontage and tactile paving at appropriate crossing points;
- Fence and sliding gate arrangements at the proposed service yard access onto Lord Street incorporating pedestrian visibility in accordance with Section 7.8 of Manual for Streets.

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 and the intervisibility of the users of the site and the adjacent highways in the interests of highway safety and maintain the integrity of the adopted highway pursuant to UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria.

17 - The development hereby approved shall not be commenced unless and until a Travel Plan Framework has been submitted to and agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order to deliver sustainable transport objectives in accordance with PPG13- Transport and Department for Transport's 'Guidance on Transport Assessment'.

18 - The development hereby approved shall not be commenced unless and until a Pedestrian Signing Strategy as referred to in paragraph 3.2.12 of the submitted Transport assessment has been submitted to and agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The strategy subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use.

Reason - In the interests of pedestrian safety and to ensure that access to the site on foot is promoted pursuant to UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria..

19 - The turning and servicing facilities indicated on the approved plans shall be provided before 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 - In the interests of pedestrian safety and to ensure that access to the site on foot is promoted pursuant to UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria.

20 - There shall be no direct means of vehicular access between the car park at the side of Unit A and Lord Street.

Reason - To ensure good highway design pursuant to UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria..

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

Reason - To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria.

22 - 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 highway.

Reason - To ensure good highway design in the interests of pedestrian safety and compliance with Section 153 of the Highways Act 1980 pursuant to UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria.

Item:02 GREATER MANCHESTER WASTE LTD, EVERY STREET, BURY, BL9 5BE

Application No. 49415

REDEVELOPMENT OF A HOUSEHOLD WASTE RECYCLING CENTRE (HWRC) ,
TRANSFER LOADING STATION (TLS) AND GREEN WASTE PROCESSING
FACILITY (GWPF)

Further Information

Following the receipt of further information from the applicant's agent relating to its concerns Natural England has confirmed that it has no objections to the development.

A report has been received from the applicant's agent in response to concerns from Environmental Health about the noise impact of vehicle reversing alarms. In the report it is explained that many of the vehicles that would operate within the site would not be under the control of the applicant Viridor Management Waste Ltd. However, Viridor propose that, where possible, the standard reversing alarm of on-site plant and their HGV fleet would be replaced with alternative, more environmentally friendly alarms as part of the measures to mitigate noise at the site. They also refer to the noise attenuation measures to minimise the potential noise impact associated with on-site

vehicular movements, including the siting of the new Transfer Loading Station building that would be orientated to partly screen vehicular movements from existing noise sensitive receptors to the north of the site as well as the other noise mitigation barriers to be provided.

The comment on this report from Environmental Health is that this response is satisfactory, in that the operator is looking at controlling what they are able to and that the site layout being proposed and other mitigation proposals should improve the overall noise impact situation.

Additional Comments

A lengthy letter has been received from Councillor Rothwell and he has also forwarded this email to Members of the Planning Control Committee. The conclusion of the Councillors comments are reproduced here:

"This Proposed Redevelopment of the Waste Management Facility at Every Street, Bury ('The Fernhill Site') is very much to be welcomed and recommended for Approval providing a Number of Issues (outlined above) can be resolved satisfactorily: in Summary, these Issues are:

- the Oppressive Visual Impact of the Green Waste Processing Facility/Transfer Loading Station Building on the Residents of Victor Avenue
- Effective Reduction of Noise and Odours from the Site
- Adoption of 'Reasonable' Opening and Working Hours which are commensurate with the Fernhill Site being embedded in a Residential Area

Having regard to the Facility being closely embedded in a Mixed Residential/Industrial Area, there would appear to be every Reason to set the Opening/Working Hours for this Facility on the Basis of it being a 'Good Neighbour' to its Local Community rather than those which might be acceptable in say a Wholly Industrial Area. Accordingly, there would seem to be every Reason to set by Planning Condition the Times and Days when the Facility might open and operate as 8.00 a.m. to 6.00 p.m. Monday to Friday, 8.00 a.m. to 1.00 p.m. on Saturday, and not at all on Sundays: there might be Merit in having no Opening/Working on Public Holidays also. This said, there would appear to be no Reason to object to the Household Waste Recycling Centre being open to receive Household Recyclables brought to the Centre by Householders 'Ordinary' Motor Vehicles between 8.00 a.m. and 6.00 p.m. in Winter and Between 8.00 a.m. and 8.00 p.m. in Summer on seven Days a Week but all Other Activities associated with this Centre to be restricted to 8.00 a.m. to 6.00 p.m. Monday to Friday, 8.00 a.m. to 1.00 p.m., and not at all on Sundays."

Councillor Rothwell's comments have been passed directly on to the applicant to respond to and their response can be found at the end of this supplementary agenda. This response has also been sent on to Councillor Rothwell.

Condition 13 - Amend to read:

No development approved by this permission shall be commenced unless and until a scheme for the provision and implementation of a surface water regulation system incorporating sustainable urban drainage (SUDS) techniques has been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Condition 14 - Amend to read:

The development shall be carried out in accordance with the principles of a sustainability approach to development and it shall not be commenced unless and until the details of the methodology have been submitted to and approved in writing by the Local Planning Authority.

One of the conditions concerning land contamination recommended by Environmental Health was omitted from their recommended conditions and needs to be added.

Delete Condition 22 - as condition 10 already sufficiently controls the importation of materials.

Add condition 27 -

All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

Item:03 ST JOHNS CHURCH HALL, PARKINSON STREET, BURY, BL9 6NY
Application No. 49689
EXTENSION TO REAR OF EXISTING CHURCH HALL TO PROVIDE COMMUNITY LIBRARY

Nothing further to report.

Item:04 ZAFFER ENGINEERING, HUNTLEY MOUNT ROAD, BURY, BL9 6HY
Application No. 49815
INSTALLATION OF 12 METRE HIGH TIMBER TELEGRAPH POLE STYLE TELECOMMUNICATIONS MAST WITH TRI-SECTOR ANTENNA; 1 NO. GROUND BASED EQUIPMENT CABINET AND 1 NO. LUCY PILLAR CABINET

Nothing further to report

Item:05 LAND AT PILOT MILL, ALFRED STREET, BURY Application No. 49229
RESIDENTIAL DEVELOPMENT - 70 DWELLINGS

Consultations
Sustainable Housing

In order to secure more sustainable housing provision in terms of performance,

energy and sourcing, condition 14 included the wrong benchmark and quoted BREEAM. Industry standards now are aiming towards the Code for Sustainable Housing and condition 14 needs amending to reflect this.

Condition 14 - Amend condition to read:

The development shall be carried out in accordance with the Code for Sustainable Homes standards and shall achieve a rating greater than zero. No development shall take place unless and until an appropriate assessment certificate has been submitted to the Local Planning Authority

Reason: To secure the sustainability principles of the development of the site pursuant to the provisions of PPS1 - Climate Change Supplement (2007) and Policies EN4 - Energy Conservation, EN4/1 - Renewable Energy, EN4/2 - Energy Efficiency of the Bury Unitary Development Plan.

Disabled Access and Ligibility

A revised plan has been received showing a legible route from Alfred Street through the development that is considered to be acceptable. This is reflected in the specified plans condition 15 in the main report.

Traffic

A response has been received from the Traffic Team. The following conditions are recommended to be added to the grant of any planning permission.

16 - Notwithstanding the details on the submitted plans, no development shall commence unless and until the details of the nature, colour and texture of all highway related surfaces have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason - To ensure the satisfactory development of the site and in the interests of visual amenity pursuant to UDP Policy H2/2 – The Layout of New Residential Development.

17 - A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided and thereafter maintained. (HY01)

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 UDP Policy H2/2 – The Layout of New Residential Development.

18 - The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the part of the development hereby approved to which it relates being occupied. (CAR1 Amended)

Reason - To ensure adequate off-street car parking provision in the interest of road safety pursuant to UDP Policy H2/2 – The Layout of New Residential Development.

Item:06 HAMILTON HEATH ESTATES LTD, HAMILTON HOUSE, WARTH INDUSTRIAL PARK, WARTH ROAD, BURY, BL9 9NB Application No. 49503
133 No EXTERNAL STORAGE CONTAINER UNITS FOR SELF-STORAGE B8 USE

Nothing further to report

Item:07 456-462 BURY OLD ROAD, PRESTWICH, M25 1NL Application No. 49717
VARIATION OF CONDITION 4 OF PLANNING PERMISSION 47753 TO ALLOW
RETAIL UNIT TO TRADE BETWEEN 0600 HOURS AND 2200 HOURS ON
SUNDAYS AND BANK HOLIDAYS (RESUBMISSION)

Nothing further to report.

**Item:08 PARK VIEW COUNTY PRIMARY SCHOOL, PARK VIEW ROAD,
PRESTWICH, M25 1FA Application No. 49657**
20 SPACE EXTENSION TO EXISTING STAFF CAR PARK; NEW RETAINING WALL
AND FENCING TO FRONT BOUNDARY OF SCHOOL AND PLAYGROUND
EXTENSION

Nothing further to report

Item:09 59 BURY OLD ROAD, PRESTWICH, M25 0FG Application No. 49808
CHANGE OF USE OF GROUND FLOOR FROM SHOP TO DENTAL SURGERY;
SINGLE STOREY EXTENSION AT REAR

Disabled access - a revised plan C-641 issue 3 dated 12/5/2008 has been received
detailing revised internal access ramp with hand rails to either side will now conform
with the comments from BADDAC.

Description - for clarification, whilst the traditional shop frontage would be maintained,
the window fronting Bury Old Road would be to a treatment room and therefore be
screened and not provide an active frontage.

**Item:10 PRESTWICH CHURCH INSTITUTE AND MENS CLUB, 368 BURY NEW
ROAD, PRESTWICH, M25 1AR Application No. 49820**
SMOKING SHELTER TO REAR (RETROSPECTIVE)

Nothing further to report.

**Item:11 LAND OFF BURY OLD ROAD, TURN VILLAGE, RAMSBOTTOM
Application No. 49654**
PROPOSED STABLES FOR PRIVATE USE

Nothing further to report

**Item:12 STORMER HILL CHIMNEY, MILL STREET, TOTTINGTON, BL8 4AT
Application No. 49666**
INSTALLATION OF 6NO POLE MOUNTED ANTENNAS AND 1NO. POLE
MOUNTED 300MM DIAMETER DISH ANTENNA TO THE FACE OF THE CHIMNEY
AT HEIGHTS OF 25M AND 26M RESPECTIVELY, 2NO. GROUND BASED
EQUIPMENT CABINETS, AND DEVELOPMENT ANCILLARY THERETO
INCLUDING A METER CABINET AND COVERED CABLE TRAY.

Nothing further to report

Item:13 LAND ADJACENT TO 200A BURY ROAD, TOTTINGTON, BL8 3DX
Application No. 49690
ERECTION OF TWO STOREY BUILDING FOR OFFICE ACCOMMODATION WITH
STORAGE SPACE IN ROOF

Nothing further to report.

Item:14 221 BURY NEW ROAD, WHITEFIELD, M45 8GW Application No. 49537
TWO STOREY REAR EXTENSION

Nothing further to report.

Item:15 LAND AT ROACH BANK ROAD, PILSWORTH, BURY Application No.
49295
OFFICE DEVELOPMENT

Condition 17 - Delete. The condition is a repeat of condition 16. Renumber the conditions after this number.

Condition 18 - amend wording to read as follows:

Notwithstanding the highway improvement works indicated on Ashley Helme Associates submitted plan reference 1016/09 Revision B, the development hereby approved shall not be commenced unless and until full details of a scheme for the improvement or modification of the Croft Lane/ Hollins Brow/Hollins Lane junction has been submitted to and approved in writing by the Local Planning Authority. The highway works subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use, unless otherwise agreed in writing with the Local Planning Authority. (Becomes Condition 17)

Condition 21 - Amend wording to include cycle parking as well as car parking. (Becomes Condition 20).