

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

23 December 2008

SUPPLEMENTARY INFORMATION

Item:01 LAND AT SPARROW PARK , SILVER STREET, BURY Application No. 50549

FULL PLANNING PERMISSION FOR ERECTION OF WAR MEMORIAL FOR LANCASHIRE FUSILIERS AT SPARROW PARK, SILVER STREET, BURY (RELOCATED FROM WELLINGTON BARRACKS, BOLTON ROAD, BURY)

One further letter of support has been received from NG Pullan, ex Fusilier stating support for the relocation of the monument.

Item:02 105 AINSWORTH ROAD, ELTON, BURY, BL8 2PY Application No. 50363
CHANGE OF USE FROM DWELLING TO HOUSE IN MULTIPLE OCCUPATION (RETROSPECTIVE)

Highways Team has no objections to the application

GMP Architectural Liaison report that the Neighbourhood Policing Team has raised potential concerns about the adaptation of the property to a HMO. They have stated that it has previously been used by asylum seekers. Also, given the location opposite the park there are concerns that the occupants may attract unwanted attention from local youths that congregate in the park. They recommend a set of security measures concerning the design of the communal entrance door to the building and doors to individual units, the specification of ground floor glazing, the yard enclosure, and a facility in each room to facilitate the installation of an alarm.

Commenting on the concerns it is known that the property has been in use as a HMO for more than 2 1/2 years and there is no evidence concerning unwanted attention from local youths. Whether the property is occupied by asylum seekers or a different type of resident is not a material planning concern. The suggested security matters are a matter to be considered by the applicants. The details of these should be added as an informative on the decision notice if permission is granted.

Item:03 LAND AT WELLINGTON BARRACKS, BOLTON ROAD, BURY
Application No. 50548

LISTED BUILDING CONSENT FOR DISMANTLING AND REPAIR OF EXISTING WAR MEMORIAL AT WELLINGTON BARRACKS (TO BE RELOCATED TO SPARROW PARK, BURY SEE PLANNING REF; 50549)

A comment has been received from Councillor Walker on two matters.

- Asking whether the Memorial and garden could not become an obligation to a future developer to preserve these items under a s106 agreement should it be left on the Bolton Road site following the departure of the Fusiliers; and
- Seeking clarification as to the future of the Frank Jefferson Memorial Stone.

In terms of the first item, the Monument should it remain on the Bolton Road site, it is a listed structure and as such the Council could issue appropriate notices under the Town and Country Planning Listed Buildings And Conservation Areas Act to require its owners to maintain it thus preventing its deterioration. As such there would be no need at this stage to consider a s106 matter.

Secondly, a planning condition is suggested to finalise the details of a scheme comprising a lasting Memorial feature on the Bolton Road site (condition 6), which

can include the Frank Jefferson Memorial Stone. However, the stone is not a listed structure nor part of the listing, and thus not a matter for this application. It is a matter for the applicant to resolve through consultation and the consideration of proposals in seeking the discharge of condition 6.

Item:04 77 BURY ROAD, RADCLIFFE, M26 2UT Application No. 50596
OUTLINE PLANNING PERMISSION FOR THE ERECTION OF TWO/THREE
STOREY CARE HOME (RESUBMISSION)

Nothing further to report.

Item:05 62 CHURCH STREET WEST, RADCLIFFE, M26 2SY Application No. 50666
CONVERSION OF SHOP WITH LIVING AREA ABOVE TO SHOP WITH 2 NO.
FLATS ABOVE; TWO/SINGLE STOREY EXTENSION AT REAR; FRONT/REAR
DORMERS; PARKING AREA AND BIN STORE AT REAR (RESUBMISSION)

The Highways Team has recommended conditions to ensure the implementation of the car park and a restriction to the height of the boundary fence adjacent to Crompton Place and the back street to ensure adequate highway visibility.

Amend condition 3 to read:

Subject to condition 8, the residential flats hereby approved shall not be occupied unless and until the car parking facility, the amenities area and the bin stores shown on the approved drawing number 3 'B' have been completed and made available for use to the written satisfaction of the Local Planning Authority. The completion of the car park shall include its surfacing and demarcation.

Add condition 8:

Notwithstanding the details indicated on the submitted plans, the proposed boundary fence adjacent to Crompton Place and the un-named back street to the rear of 62 Church Street West shall not exceed 0.9m in height.

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

Add the words 'subject to condition 8' at the beginning of condition 7.

Item:06 LAND AT OUTWOOD PARK, OFF OUTWOOD ROAD, RADCLIFFE
Application No. 50535
IMPORTATION AND REUSE OF INERT MATERIALS TO MAKE SAFE THE
EXISTING FORMER TIP LAND AND LANDSCAPING

Consultees

Environment Agency - No objections subject to the inclusion of informatives relating to the requirement for the necessary permits and the use of registered carriers.

It is considered that the following condition should be added to avoid any doubt:

18. No materials other than topsoil and subsoil forming part of the extraction operations hereby permitted shall be stored on the site without the prior approval in

writing of the Local Planning Authority.
Reason. For the avoidance of doubt.

Item:07 LAND AT RAILWAY STREET, RAMSBOTTOM, BL0 9AL Application No. 50660
PROPOSED MIXED USE DEVELOPMENT COMPRISING USE CLASS A1/FOODSTORE AND USE CLASS B1/B8 COMMERCIAL UNIT

Publicity

One letter of support has been received from the occupiers of 5 Falstone Avenue, Ramsbottom, which has raised the following points:

- No adverse impact of the proposed store on the many varied specialised shops in Ramsbottom.
- Competition for the other supermarkets in the town would be welcomed.

Seven letters of objection have been received from the occupiers of 49 Peel Brow, 82 Summerseat Lane, 11 Nuttall Hall Cottages, 228 Whittingham Drive, 161 Stubbins Lane, Ramsbottom, which have raised the following issues:

- Impact of the proposal upon the existing retailers in the town
- The proposed development may result in the loss of jobs within the town.
- Adverse impact upon parking and highway safety
- Residential development would be a better alternative

A letter has been received on behalf of Co-op, which has raised the following points:

- Impact of the proposal upon the existing retailers in the town
- Object to the retail element of the proposal in terms of its location on the edge of the town centre and the need for the store

The supporter and objectors has been notified of the Planning Control Committee.

Response to objectors - The application site is located within the town centre and the impact of the proposal upon the town centre, including the retail policy context are fully addressed in the officer report. The issue of parking provision and highway safety are also dealt with in the officer report. The application site is considered to be suitable for retail and employment uses and is located on the edge of an employment generating area. It is considered that a residential development would be located in close proximity to the employment generating area, which could be a permanent source of noise, which would be detrimental to the amenity of any future occupiers of the residential units. Therefore, it is considered that the site would not be suitable for residential development.

The applicant has submitted a revised plan to show the low stone plinth along the southern elevation of the proposed retail store. Therefore, the condition relating to the approved plans should be amended and the conditions relating to the opening hours should be amended to reflect the retail store and the industrial units.

2. This decision relates to drawings numbered 0193 MID Red line plan, 0193A-100, 0193A-110B, 0193A-111B, 0193A-112A, 0193A-113A, VL0193MID L01A 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.

6. Prior to the occupation of the commercial unit hereby permitted, details of the opening hours shall be submitted to and approved in writing by the Local Planning

Authority. The commercial unit shall not be open to customers outside of the approved opening hours.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

7. The use hereby permitted shall not be open to customers outside the following times: 08.00 to 20.00 on Mondays to Saturdays
10.00 to 17.00 on Sundays and Bank Holidays

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC1/2 - Land suitable for Business (B1) and Office Use and EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

8. No deliveries shall be made to the retail store and commercial unit hereby permitted outside the hours of 08.00 to 19.00 on any day.

Reason. In the interests of residential amenity pursuant to Policy S1/2 - Shopping in town centres of the Bury Unitary Development Plan.

Item:08 TOTO RISTORANTE, HIGH STREET, BURY, BL8 3AG Application No. 50588

REDEVELOPMENT OF EXISTING RESTAURANT AND ADJACENT MILL TO FORM A WINE BAR AND RESTAURANT WITH FIRST FLOOR OPEN CAR PARK ACCESSED FROM GRASSINGTON COURT

Highways Team - Additional concerns have been raised over the design of the access to the car park and the taxi drop off area and as such they have recommended additional reasons for refusal as shown below:

4. The proposed access arrangements to the first floor open car park are sub-standard in terms of geometry and visibility at its junction with Grassington Court, which would be detrimental to highway safety and maintaining the free flow of traffic. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: HT2/4 - Car Parking and New Development and S2/6 - Food and Drink.

5. The access to the proposed taxi drop off bays is sub-standard in terms of visibility and the proposals do not enable vehicles to be maintained clear of the adopted highway or provide suitable accommodation for vehicles to enter and leave the site in a forward gear, which would be detrimental to road and pedestrian safety and maintaining the free flow of traffic on the adjacent classified road. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: HT2/4 - Car Parking and New Development and S2/6 - Food and Drink.

Item:09 PLOT 5, LAND AT HIGH STREET, WALSHAW Application No. 50621
RESIDENTIAL DEVELOPMENT - ONE DETACHED DWELLING

Nothing further to report